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FEDERAL REGISTER

VOLUME 27 NUMBER 19

Washington, Saturday, January 27, 1962

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FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3446

RED CROSS MONTH, 1962

By the President of the United States of America
A Proclamation

WHEREAS the American National Red Cross is officially designated by the Congress to act in matters of voluntary relief for uniformed personnel of the Armed Forces and their families; and

WHEREAS this vital contribution to national morale must necessarily be expanded whenever world tension requires a substantial increase in the strength of our armed services; and

WHEREAS, under Federal laws and regulations, the Red Cross renders emergency aid to victims of disaster and assists with the recovery and rehabilitation of those in need of help in the wake of those disasters; and

WHEREAS, together with eighty-six other societies affiliated in the League of Red Cross Societies, the American Red Cross participates in a program of international relief, and in concert with those societies provides technical assistance to other members of the world-wide Red Cross organization; and

WHEREAS the American Red Cross and its local chapters carry on programs of training in first aid and home nursing and engage in the collection and distribution of blood both of which services make an important contribution to the general welfare of the American people and, more particularly, are an essential part of the National Emergency Preparedness activities of this Nation; and

WHEREAS these essential services are voluntarily rendered to the Government of the United States and the American people by the members and volunteers of the Red Cross:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America and Honorary Chairman of the American National Red Cross, do hereby designate March 1962 as Red Cross Month; and I urge all Americans to honor the Red Cross during that month by supporting it as a channel of humanitarian assistance for their neighbors in need.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 24th day of January in the year of our Lord nineteen hundred and sixty-two, and [SEAL] of the Independence of the United States of America the one hundred and eighty-sixth.

JOHN F. KENNEDY

By the President:

GEORGE BALL,
Acting Secretary of State.

[F.R. Doc. 62-994; Filed, Jan. 26, 1962; 10:15 a.m.]

Rules and Regulations

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Livestock Feed Bulletin 1; Rev. 1, Amdt. 1]

PART 475—EMERGENCY FEED PROGRAM

Subpart—Livestock Feed Program

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation published in 26 F.R. 8271 which contain specific requirements for the continuing Livestock Feed Program are amended as follows:

§ 475.210 [Amendment]

The second sentence of § 475.210(c)(4) is amended to read as follows: "CCC shall refund to the owner any storage charges which had been deducted by it from the loan proceeds on the quantity of grain purchased by the owner."

§ 475.211 [Amendment]

The third sentence of § 475.211 *Sales of CCC-owned grain* is amended to read as follows: "An owner who wishes to have grain delivered to him by CCC ground or custom mixed may do so, provided the grain which is ground or mixed is the very same grain as is delivered to him, or, if the grinding or mixing is performed by a custom operator, provided the product delivered after grinding or mixing is processed from the same kind, quality and quantity of grain that was delivered for grinding or mixing."

Section 475.212 *Grain on hand and not used* is amended to read as follows:

§ 475.212 Grain not used for approved purposes.

The owner must feed to his primary livestock by a date not later than 30 days after the end of his last authorized period (a) a total quantity of feed grain, either as grain or in mixed feed, equal in feed equivalents to the feed grain acquired by him under the program for primary livestock plus (b) a quantity of feed grain equal in feed grain equivalents to the feed grain which is otherwise available to the owner for feeding his primary livestock. The feed grain referred to in paragraph (a) of this section shall be determined by allocating the feed grain available to the owner (as defined in § 475.205(d)(4)) between primary livestock and other livestock in accordance with the owner's normal feeding operations. The owner shall not dispose of feed grain acquired from CCC to any other person. In the event the owner fails to feed such quantity to primary livestock or if the owner disposes of grain acquired from CCC to any other person, he shall report the fact promptly to the county office from which the grain was purchased and shall make proper settlement with the county committee. Settlement of violations shall be based on prices in effect at the time of the owner's last purchase of the applicable feed grain under the program and shall be determined as follows: (1) In the case of feed grain which the owner was required by the first sentence of this section to feed to primary livestock but which CCC determines was diverted to secondary livestock, the amount of settlement shall be based on the difference between the applicable price of the feed grain for primary livestock and the lowest price at which the owner could obtain the feed grain from CCC for secondary livestock times the number of bushels thus diverted; (2) In the case of any other failure to comply with the requirements of this section, settlement shall be based on the difference between the applicable price of the feed grain for primary livestock and the lowest price at which the owner could obtain such feed grain from CCC for unrestricted use times the total number of bushels in this category; (3) The kind and quality of feed grains on which settlement of violations shall be based shall be the applicable kind and quality obtained from CCC which (i) was disposed of to any other person, (ii) is still on hand, or (iii) is the kind and quality last purchased from CCC to the extent that such purchases from CCC equal the feed grain equivalent of the violation, and otherwise to the extent other feed grains purchased from CCC in reverse order of date of purchase equal the feed grain equivalent of the balance of the violation.

Signed at Washington, D.C., on January 23, 1962.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-940; Filed, Jan. 26, 1962; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 4]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.304 Navel Orange Regulation 4.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date

hereof. Such committee meeting was held on January 25, 1962.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., January 28, 1962, and ending at 12:01 a.m., P.s.t., February 4, 1962, are hereby fixed as follows:

(i) District 1: 250,000 carloads;
(ii) District 2: 400,000 carloads;
(iii) District 3: Unlimited movement;
(iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 26, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-1003; Filed, Jan. 26, 1962; 11:17 a.m.]

[Lemon Reg. 4]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.304 Lemon Regulation 4.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011), because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 23, 1962.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., January 28, 1962, and ending at 12:01 a.m., P.s.t., February 4, 1962, are hereby fixed as follows:

(i) District 1: 9,300 cartons;
(ii) District 2: 186,000 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 24, 1962.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-938; Filed, Jan. 26, 1962; 8:49 a.m.]

[Orange Reg. 2]

PART 944—FRUITS; IMPORT REGULATIONS

Prohibitions of Imported Commodities

§ 944.301 Orange Regulation No. 2.

(a) *Findings and determinations with respect to imports of oranges.* On October 10, 1961, Orange Regulation No. 1 (§ 944.300; 26 F.R. 9668) was issued regulating the importation of oranges into the United States pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). Such regulation included a determination that imports of oranges are in most direct competition with oranges grown in the State of Texas. The reasons and basis of such determination are set forth in the regulation and include (i) Mexico is the principle source of oranges imported into the United States and most of such imports enter the United States at points in Texas, (ii) such imports generally are shipped from the lower Rio Grande Valley in Texas by handlers of Texas oranges and often are commingled with shipments of Texas oranges, and (iii) Mexican oranges go to the same markets as oranges grown in Texas.

During the period January 9–12, 1962, freezing temperatures prevailed throughout the citrus fruit production area in Texas severely damaging the current Texas orange crop. Shipments of Texas oranges are expected to be curtailed drastically and will represent only a minor portion of the total domestic shipments of oranges during the remainder of the 1961–62 marketing season. It is therefore found and determined, on the basis of information now available, that after January 31, 1962, imports of oranges will no longer be in most direct competition with oranges grown in Texas but, during the effective time of this regulation, will be in most direct competition with oranges grown in the State of Florida. The requirements hereinafter set forth in the section are comparable to those in effect for domestic shipments of Florida oranges (Orange Regulation 1, § 905.302; 27 F.R. 164).

(b) *Limitation of imports.* On and after 12:01 a.m., e.s.t., February 1, 1962, the importation into the United States of any oranges is prohibited unless such oranges are inspected and grade at least U.S. No. 1 Russet, and are of a size not smaller than 2$\frac{8}{16}$ inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers, and not more than 15 percent, by count, of such oranges in individual containers in such lot, may be of a size smaller than 2$\frac{8}{16}$ inches in diameter.

(c) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of oranges that are imported into the United States under the provisions of section 8e of the act. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of oranges, is required on all imports of oranges. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of oranges should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the oranges will be imported:

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, 222 McClendon Bldg., Harlingen, Tex. (Phone: Garfield 3-5644) or Norman E. Taylor, Room 204, U.S. Court House, El Paso, Tex. (Phone: Keystone 3-9351, Ext. 340).	1 day. Do.
All New York points.	Edward J. Beller, Room 306, 346 Broadway, New York 13, N.Y. (Phone: Rector 2-8000, Ext. 807).	Do.
All Arizona points.	R. H. Bertelson, 136 Grande Av., Nogales, Ariz. (Phone Atwater 7-2002).	Do.
All Florida points.	Lloyd W. Boney, 1200 NW. 21 Terrace, Room 5, Miami Fla. (Phone: Newton 5-7967) or Hubert S. Flynt, 775 Warner Street, Orlando Fla. (Phone: Garden 2-2447).	Do. Do.
All California points.	Carley D. Williams, 784 South Central Ave., Room 294, Los Angeles 21, Calif. (Phone: Madison 2-8756).	3 days.
All other points.	E. E. Conklin, Fruit and Vegetable Division, AMS U.S. Department of Agriculture, Washington 25, D.C. (Phone: Dudley 8-5870).	Do.

(d) Inspection certificates shall cover only the quantity of oranges that is being imported at a particular port of entry by a particular importer.

(e) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(f) Each inspection certificate issued with respect to any oranges to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(g) Notwithstanding any other provision of this regulation, any importation of oranges which, in the aggregate, does not exceed five 1⅗ bushel boxes, or equivalent quantity, may be imported without regard to the restrictions specified herein.

(h) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of oranges for the purpose of making it eligible for importation under the act.

(i) No provisions of this section shall supersede the restrictions or prohibitions on oranges under the Plant Quarantine Act of 1912.

(j) The terms "U.S. No. 1 Russet" and "diameter" shall have the same meaning as when used in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title). "Importation" means release from custody of the United States Bureau of Customs.

(k) Orange Regulation No. 1 (§ 944.301; 26 F.R. 9668, 9905; 27 F.R. 8, 458) is hereby terminated at 12:01 a.m., e.s.t., February 1, 1962.

It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 1001–1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674; 75 Stat. 305), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are comparable to those in effect on domestic shipments of oranges under Orange Regulation 1 (§ 905.302; 27 F.R. 164); (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; (d) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: January 25, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-968; Filed, Jan. 26, 1962; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-WA-197]

PART 602—DESIGNATION OF JET ROUTES, JET ADVISORY AREAS AND HIGH ALTITUDE NAVIGATIONAL AIDS

Alteration of Jet Route

On October 31, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 10182), stating that the Federal Aviation Agency proposed to alter the segment of Jet Route No. 23 from San Antonio, Texas, to Oklahoma City, Okla.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

In § 602.100 Jet routes (26 F.R. 7081), Jet Route No. 23 is amended to read:

Jet Route No. 23 (San Antonio, Tex., to Cheyenne, Wyo.). From San Antonio, Tex., via Mineral Wells, Tex.; Oklahoma City, Okla.; Wichita, Kans.; Hill City, Kans., to Cheyenne, Wyo.

This amendment shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., January 22, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-909; Filed, Jan. 26, 1962; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Ethylene Oxide on Black Walnut Meats; Tolerance for Residues

No comment having been received on the proposal of the Commissioner of Food and Drugs published in the FEDERAL REGISTER of November 30, 1961 (26 F.R. 11297), with reference to ethylene oxide as a fumigant on black walnut meats, and no request having been received for referral of the proposal to an advisory committee: *It is ordered*, That the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.151) be amended by adding black walnut meats to the list of commodities in § 120.151. As amended, this section reads as follows:

§ 120.151 Tolerances for residues of ethylene oxide.

A tolerance of 50 parts per million is established for residues of ethylene oxide, when used as a fumigant in or on the following raw agricultural commodities: Black walnut meats, copra, whole spices.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625).

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Ave-

nue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e))

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-924; Filed, Jan. 26, 1962; 8:48 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerance for Residues of 1-Naphthyl *N*-Methylcarbamate

A petition was filed with the Food and Drug Administration by Union Carbide Corporation, 270 Park Avenue, New York 17, New York, requesting the establishment of a tolerance for residues of 1-naphthyl *N*-methylcarbamate in or on asparagus at 10 parts per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(2), 68 Stat 512; 21 U.S.C. 346a (d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities are amended by adding to § 120.169 a tolerance for this pesticide chemical in or on asparagus. As amended, the item containing the 10 parts per million tolerance limitation is changed to read as follows:

§ 120.169 Tolerances for residues of 1-naphthyl *N*-methylcarbamate.

* * * * *

Ten parts per million in or on apples, apricots, asparagus, bananas, beans, blueberries, broccoli, brussels sprouts, cabbage, carrots, cauliflower, cherries, citrus fruits, cranberries, cucumbers, eggplants, grapes, kohlrabi, lettuce, melons, nectarines, okra, peaches, pears, peppers, plums (fresh prunes), pumpkins, sorghum grain, strawberries, summer squash, tomatoes, winter squash.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2))

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-922; Filed, Jan. 26, 1962; 8:48 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Sulfur Dioxide and Sodium Metabisulfite; Final Order

Neither comments nor objections were received in response to the notice of proposed rule making published in the FEDERAL REGISTER November 18, 1961 (26 F.R. 10810), with regard to revoking the exemption from the requirement of a tolerance of sodium metabisulfite on stored grains and limiting the exemption with respect to the use of sulfur dioxide on grains.

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (b), (e), 68 Stat. 512, 514; 21 U.S.C. 346a (b), (e)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities are amended by changing § 120.180 (21 CFR 120.180) to read as follows:

§ 120.180 Exemption from the requirement of a tolerance for residues of sulfur dioxide from use in fumigants for stored grains.

Residues from the use of sulfur dioxide in liquid grain-fumigant formulations for marker or fire-retardant purposes at levels not exceeding 5 percent by weight of such formulations are exempted from the requirement of a tolerance in or on barley, buckwheat, corn, oats, popcorn, rice, rye, grain sorghum (milo), wheat.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408, 68 Stat. 511; 21 U.S.C. 346a)

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner, of Food and Drugs.

[F.R. Doc. 62-934; Filed, Jan. 26, 1962; 8:48 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerances for Residues of Folpet

A petition was filed with the Food and Drug Administration by California Chemical Company, Ortho Division, Lucas Street and Ortho Way, Richmond, California, requesting the establishment of tolerances for residues of *N*-(trichloro methylthio) phthalimide (common name folpet) in or on apples, avocados, blackberries, blueberries, boysenberries, cantaloups, celery, cherries, citrus fruits, crabapples, cranberries, cucumbers, currants, dewberries, endive (escarole), garlic, gooseberries, grapefruit, grapes, honeydew melons, huckleberries, leeks, lemons, lettuce, limes, loganberries, muskmelons, onions, oranges, pumpkins, raspberries, shallots, strawberries, summer squash, tangelos, tangerines, toma-

toes, watermelons, and winter squash at 50 parts per million. Endive (escarole) was later withdrawn from the petition.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120) are amended by adding thereto the following new section:

§ 120.191 Tolerances for residues of folpet.

Tolerances for residues of folpet (*N*-(trichloromethylthio)phthalimide) in or on raw agricultural commodities are established as follows:

50 parts per million in or on apples, avocados, blackberries, blueberries, boysenberries, celery, cherries, citrus fruits, crabapples, cranberries, cucumbers, currants, dewberries, garlic, gooseberries, grapes, huckleberries, leeks, lettuce, loganberries, melons, onions, pumpkins, raspberries, shallots, strawberries, summer squash, tomatoes, winter squash.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-933; Filed, Jan. 26, 1962; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart A—Definitions and Procedural and Interpretative Regulations

FURTHER EXTENSION OF EFFECTIVE DATE OF STATUTE FOR CERTAIN SPECIFIED FOOD ADDITIVES

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 6(c), Public Law 85-929, as amended sec. 2, Public Law 87-19; 72 Stat. 1788, as amended 75 Stat. 42; 21 U.S.C., note under sec. 342), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the effective date of the statute as it pertains to certain items of direct additives to food is further extended to the dates indicated in this order. It is therefore ordered that the following items in § 121.90 (21 CFR 121.90; 26 F.R. 5502, 6270, 6473, 7544, 8390) be changed to read as follows:

Product	Specified uses or restrictions	Effective date of statute extended to—
Betaine, anhydrous, or betaine hydrochloride (26 F.R. 7544).	Dietary supplement; limit 100 mg. per day	[1] Jan. 1, 1963
Bithionol (50%) and methiotriazamine (10%) (26 F.R. 6473).	In poultry feed as a coccidiostat; limited to 2 lb. per ton of feed with no residue in edible tissues of poultry. Discontinue feeding article 3 days prior to slaughter.	Do.[1]
1,1-bis(*p*-Chlorophenyl)-2,2,2-trichloroethanol (26 F.R. 5502).	100 p.p.m. as residue in mint oil from use on fresh mint leaves for control of mites.	Do.[1]
Butyl stearate (26 F.R. 5502)	Component of defoamer used in the production of beat sugar.	Do.[1]
Do	Component of defoamer used in production of yeast.	Do.[1]
Copper sulfate (26 F.R. 7544)	Dietary supplement; limit 2 mg. of copper per day	Do.
Coumarone-indene resin (26 F.R. 6473)	Component of chewing gum base	Do.[1]
Disodium ethylenediamine tetraacetate (26 F.R. 6473).	Trace mineral solubilizer for feeds for ruminant animals; 200 p.p.m.	Do.[1]
Ferric choline citrate (26 F.R. 6473)	Nutrient and dietary supplement	Do.[1]
Formaldehyde (26 F.R. 5502)	Component of defoamer used in production of beet sugar; limit 0.01 p.p.m. in sugar.	Do.[1]
Iodine (from dehydrated kelp) (26 F.R. 6473)	In dietary supplements; limited to 0.7 mg. iodine per day.	Do.[1]
Menadione (26 F.R. 7544)	Dietary supplement; limit 1 mg. per day	Do.[1]
Monoglycerides and diglycerides and their lactic acid monoesters (26 F.R. 5502).	Components of defoamer in production of yeast	Do.[1]
Oxystearin (26 F.R. 5502)	Component of defoamer used in production of beet sugar and yeast.	Do.[1]
Petroleum hydrocarbon resin, aliphatic (mol. wt. approx. 1100) (26 F.R. 6473).	Component of chewing gum base	Do.[1]
Polyoxyethylene glycol (600) dioleate (26 F.R. 7544).	Component of defoamer used in production of yeast.	Do.[1]
Polyoxyethylene glycol (600) dioleate (26 F.R. 5502).	Component of defoamer used in the production of beet sugar.	Do.[1]
Polyoxyethylene glycol (600) monoricinoleate (26 F.R. 5502).	Component of defoamer used in the production of beet sugar and yeast.	Do.[1]
Propionaldehyde (26 F.R. 8390)	Synthetic flavoring substance	Do.[1]
Rosin or hydrogenated rosin polymers of glycerin or pentaerythritol. (26 F.R. 6473).	Component of chewing gum base	Do.[1]
Rutin (26 F.R. 7544)	Dietary supplement; limit 50 mg. per day	Do.[1]
Tallow, oxidized (26 F.R. 5502)	As a component of defoamer used in production of yeast; limit 40 p.p.m. in final product.	Do.[1]
Tallow, oxidized (26 F.R. 7544)	Component of defoamer in production of beet sugar; limit 40 p.p.m. in final product.	Do.[1]

[1] Progress report required by July 1, 1962.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since extensions of time, under certain conditions, for the effective date of the Food Additives Amendment to the Federal Food, Drug, and Cosmetic Act were contemplated by Public Law 87-19 as a relief of restrictions on the food-processing industry.

Effective date. This order shall become effective as of the date of signature.

(Sec. 6(c), Public Law 85-929, as amended sec. 2, Public Law 87-19; 72 Stat. 1788, as amended 75 Stat. 42; 21 U.S.C., note under sec. 342)

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-920; Filed, Jan. 26, 1962; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart A—Definitions and Procedural and Interpretative Regulations

FURTHER EXTENSIONS OF EFFECTIVE DATE OF STATUTE FOR CERTAIN SPECIFIED FOOD ADDITIVES

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 6(c), Public Law 85-929, as amended sec. 2, Public Law 87-19; 72 Stat. 1788, as amended 75 Stat. 42; 21 U.S.C., note under sec. 342), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the effective date of the statute as it pertains to certain items of indirect additives to food is further extended to the dates indicated in this order. It is therefore ordered that the following items in § 121.91 (21 CFR 121.91; 26 F.R. 6271, 6323, 7963, 12242) be changed to read as follows:

Product	Specified uses or restrictions	Effective date of statute extended to—
DDD (dichloro-diphenyldichloroethane)	Residue from raw agricultural product. In dried tomato pomace for use in pet food; limit 100 p.p.m. in dried pomace.	[1] Jan. 1, 1963
DDT (dichloro-diphenyltrichloroethane)	do	Do.[1]
Petrolatum N.F. and U.S.P. Ultraviolet absorptivity (as defined in ASTM E-131) at 290 millimicrons-liters per gram centimeter: 2.0 maximum.	Lubricant for food-processing machinery	Do.[1]
Piperonyl butoxide	Component of insecticide for control of infestation in food-storage and food-processing areas; limit 20 p.p.m. in food.	Do.[1]
Polyoxyethylene glycol (1500) monostearate	Component of calender sizings for paper and paperboard.	Do.[1]
Pulps from reclaimed fibers, excluding material previously used for the packaging of pesticide chemicals and poisons.	Used as components of paper and paperboard surfaces intended for direct contact with food.	Do.[1]
Pyrethrins	Component of insecticide for control of infestation in food-storage and food-processing areas; limit 3 p.p.m. in food.	Do.[1]
Sodium lignosulfonate (sodium ligninsulfonate)	Dispersant in wax emulsions in paper and paperboard for food packaging.	Do.[1]
Urea-formaldehyde	In cellulose fiber felt used for cushioning foods	Do.[1]

[1] Progress report required by July 1, 1962.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since extensions of time, under certain conditions, for the effective date of the Food Additives Amendment to the Federal Food, Drug, and Cosmetic Act were contemplated by Public Law 87-19 as a relief of restrictions on the food-processing industry.

Effective date. This order shall become effective as of the date of signature.

(Sec. 6(c), Public Law 85-929, as amended sec. 2, Public Law 87-19; 72 Stat. 1788, as amended 75 Stat. 42; 21 U.S.C., note under sec. 342)

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-921; Filed, Jan. 26, 1962; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed and Animal-Feed Supplements

METHYL ESTERS OF HIGHER FATTY ACIDS; FATTY ACIDS

CORRECTIONS

1. In § 121.224(b)(4)(ii), the number "±1.3" is changed to read "+1.3". (21 CFR 121.224; 26 F.R. 11828)

2. In § 121.1070(c)(2) the number "±1.3" is changed to read "+1.3". (21 CFR 121.1070; 26 F.R. 11829)

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-923; Filed, Jan. 26, 1962; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

POLYETHYLENE TEREPHTHALATE FILM

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by E. I. du Pont de Nemours and Company, Wilmington 98, Delaware, and other relevant material, has concluded that the following regulation should issue with respect to polyethylene terephthalate films as articles or components of articles used in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations are amended by adding to Subpart F the following new section:

§ 121.2524 Polyethylene terephthalate film.

Polyethylene terephthalate film may be safely used as an article or component of articles used in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food subject to the provisions of this section.

(a) Polyethylene terephthalate film consists of a base sheet of ethylene terephthalate polymer, to which have been added optional substances, either as constituents of the base sheet or as constituents of coatings applied to the base sheet.

(b) The quantity of any optional substance employed in the production of polyethylene terephthalate film does not exceed the amount reasonably required to accomplish the intended physical or technical effect or any limitation further provided.

(c) Any substance employed in the production of polyethylene terephthalate film that is the subject of a regulation in Subpart F of this part conforms with any specification in such regulation, and any substance which is not the subject of a regulation in Subpart F conforms with the specifications, if any, prescribed by an order extending the effective date of the statute for such substance as an indirect additive to food.

(d) Substances employed in the production of polyethylene terephthalate film include:

(1) Substances generally recognized as safe in food.

(2) Substances subject to prior sanction or approval for use in polyethylene terephthalate film and used in accordance with such sanction or approval.

(3) Substances which by regulation in this Subpart F may be safely used as components of resinous or polymeric coatings and film used as food-contact surfaces subject to the provisions of such regulation.

(4) Substances identified in this subparagraph and subject to such limitations as are provided:

List of substances and limitations

(i) Base sheet:
- Ethylene terephthalate polymer: Prepared by the condensation of dimethyl terephthalate and ethylene glycol.
- Ethylene terephthalate polymer: Prepared by the copolymerization of terephthalic acid and ethylene glycol.

(ii) Coatings:
- 2-Ethylhexyl acrylate copolymerized with one or more of the following:
  - Acrylonitrile.
  - Methacrylonitrile.
  - Methyl acrylate.
  - Methyl methacrylate.
  - Itaconic acid.
- Vinylidene chloride copolymerized with one or more of the following:
  - Methacrylic acid and its methyl, ethyl, propyl, butyl, or actyl esters.
  - Acrylic acid and its methyl, ethyl, propyl, butyl, or octyl esters.
  - Acrylonitrile.
  - Methacrylonitrile.
  - Vinyl chloride.
  - Itaconic acid.

(iii) Emulsifiers:
- Sodium dodecylbenzenesulfonate: As an adjuvant in the application of coatings to the base sheet.
- Sodium lauryl sulfate: As an adjuvant in the application of coatings to the base sheet.

(e) Polyethylene terephthalate film conforming with the specifications prescribed in subparagraph (1) of this paragraph is used as provided in subparagraph (2) of this paragraph:

(1) *Specifications.* (i) The film, when exposed to distilled water at 250° F. for 2 hours, yields chloroform-soluble extractives not to exceed 0.5 milligram per

square inch of film surface exposed to the solvent; and

(ii) The film, when exposed to *n*-heptane at 150° F. for 2 hours, yields chloroform-soluble extractives not to exceed 0.5 milligram per square inch of film surface exposed to the solvent.

(2) *Conditions of use.* The film is used for packaging, transporting, or holding food, excluding alcoholic beverages, at temperatures not to exceed 250° F.

(f) Polyethylene terephthalate film conforming with the specifications prescribed in subparagraph (1) of this paragraph is used as provided in subparagraph (2).

(1) *Specifications.* (i) The film meets the specifications in paragraph (e) (1) of this section; and

(ii) The film, when exposed to 50 percent ethyl alcohol at 120° F. for 24 hours, yields chloroform-soluble extractives not to exceed 0.5 milligram per square inch of film surface exposed to the solvent.

(2) *Conditions of use.* The film is used for packaging, transporting, or holding alcoholic beverages that do not exceed 50 percent alcohol by volume.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: January 22, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-918; Filed, Jan. 26, 1962; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COPOLYMER OF 1,4-CYCLOHEXYLENE DIMETHYLENE TEREPHTHALATE AND 1,4-CYCLOHEXYLENE DIMETHYLENE ISOPHTHALATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 347) filed by Eastman Chemical Products, Inc., Kingsport, Tennessee, and other relevant material, has concluded that the following regulation should issue with respect to a copolymer of 1,4-cyclohexylene dimethylene terephthalate and 1,4-cyclohexylene dimethylene isophthalate to produce packaging materials, containers, and equipment that contact food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart F the following new section:

§ 121.2533 Copolymer of 1,4-cyclohexylene dimethylene terephthalate and 1,4-cyclohexylene dimethylene isophthalate.

Copolymer of 1,4-cyclohexylene dimethylene terephthalate and 1,4-cyclohexylene dimethylene isophthalate may be safely used as an article or component of articles intended for use in packaging food subject to the provisions of this section.

(a) The copolymer is a basic polyester produced by the catalytic condensation of dimethyl terephthalate and dimethyl isophthalate with cyclohexanedimethanol-1,4, to which may have been added certain optional substances required in its production or added to impart desired physical and technical properties.

(b) The quantity of any optional substance employed in the production of the copolymer does not exceed the amount reasonably required to accomplish the intended physical or technical effect or any limitation further provided.

(c) Any substance employed in the production of the copolymer that is the subject of a regulation in this Subpart F conforms with any specification in such regulation, and any substance which is not the subject of a regulation in Subpart F conforms with the specifications, if any, prescribed by an order extending the effective date of the statute for such substance as an indirect additive to food.

(d) Substances employed in the production of the copolymer include:

(1) Substances generally recognized as safe in food.

(2) Substances subject to prior sanction or approval for use in the copolymer and used in accordance with such sanction or approval.

(3) Substances which by regulation in Subpart F may be safely used as components of resinous or polymeric coatings and film used as food-contact surfaces, subject to the provisions of such regulation.

(e) The copolymer conforms with the following specifications:

(1) The copolymer, when extracted with distilled water at reflux temperature for 2 hours, yields total extractives not to exceed 0.05 percent.

(2) The copolymer, when extracted with ethyl acetate at reflux temperature for 2 hours, yields total extractives not to exceed 0.7 percent.

(3) The copolymer, when extracted with *n*-hexane at reflux temperature for 2 hours, yields total extractives not to exceed 0.05 percent.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: January 22, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-917; Filed, Jan. 26, 1962; 8:46 a.m.]

SUBCHAPTER C—DRUGS

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 147—ANTIBIOTICS INTENDED FOR USE IN THE LABORATORY DIAGNOSIS OF DISEASE

Sodium Oxacillin

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tests and methods of assay and certification of penicillin and penicillin-containing drugs (21 CFR Parts 141a, 146, 146a, 147) are amended as follows:

1. Part 141 is amended by adding thereto the following new sections:

§ 141a.104 Sodium oxacillin.

(a) *Potency.* Use the sodium oxacillin working standard as the standard of comparison, and proceed as directed in § 141a.1, except:

(1) *Plate assay.* (i) Prepare a stock solution containing 1,000 micrograms per milliliter. Prepare the standard curve by further diluting this stock solution, using 1 percent phosphate buffer, pH 6.0, to final concentrations of 3.2, 4.0, 5.0, 6.25, and 7.8 micrograms per milliliter. The 5.0 micrograms per milliliter is the reference concentration.

(ii) Determine the inoculum of the Staphylococcus aureus suspension to be used for the seed layer by adding varying volumes of the standard suspension to 100-milliliter volumes of the seed agar. Run test plates with the different inocula and the sodium oxacillin reference concentration. Select as the optimum inoculum the one that results in the clearest and best defined zones of inhibition (usually between 0.3 milliliter and 1.0 milliliter per 100 milliliters of seed agar).

(2) *Iodometric assay.* If the iodometric assay is used, use a solution containing 1.0 milligram per milliliter.

(b) *Toxicity.* Proceed as directed in § 141a.4, except use sodium chloride injection as the diluent and inject 0.5 milliliter of a solution containing 20 milligrams activity per milliliter.

(c) *Moisture.* Proceed as directed in § 141a.26(e).

(d) *pH.* Proceed as directed in § 141a.5(b).

(e) *Crystallinity.* Proceed as directed in § 141a.5(c).

(f) *Sodium oxacillin content.* Accurately weight approximately 60 milligrams of sample, and transfer to a 100-milliliter volumetric flask. Dissolve and dilute the sample to the mark with distilled water. Pipette a 5.0-milliliter aliquot of the sample solution into a 22 x 200 millimeter test tube, and add 5 milliliters of 10 *N* NaOH. Mix the solutions, and place the tube in a boiling water bath for 60 minutes. Cool the tube, carefully add 10 milliliters of 6 *N* HCl, mix, and place the tube in the boiling water bath for 10 minutes. Position the tube in the bath so that the two liquid levels are the same. After heating, remove the tube from the bath, carefully agitate the contents of the tube, and cool to room temperature. Quantitatively transfer the contents of the tube to a 250-milliliter volumetric flask. Add approximately 200 milliliters of freshly boiled and cooled distilled water, then 4.0 milliliters of 7.5 *N* NH_4OH, and dilute to volume with freshly boiled and cooled distilled water. Determine the absorbance on a suitable spectrophotometer at 235 millimicrons against a reagent blank. Run concurrently with the sodium oxacillin standard, and calculate as follows:

$$\frac{A \text{ sample} \times \text{mg. standard (anhydrous basis)}}{A \text{ standard} \times \text{mg. sample (anhydrous basis)}} \times 100 = \text{Percent sodium oxacillin}$$

(g) *Identity.* Use the sample solution prepared in paragraph (f) of this section and record the ultraviolet spectrum between 230 millimicrons and 260 millimicrons. It should be basically identical to that of the standard similarly treated.

§ 141a.105 Sodium oxacillin tablets.

(a) *Potency.* Place a representative number of tablets (usually 3 to 12) in a blending jar and add thereto approximately 200 milliliters of a 500-milliliter quantity of 1 percent phosphate buffer, pH 6.0. After blending for 1 minute with a high-speed blender, add the remainder of the 500 milliliters of buffer. Blend again for 1 minute and make the proper estimated dilutions to 5.0 micrograms per milliliter in 1 percent phosphate buffer, pH 6.0. Follow the plate assay procedure given in § 141a.104. The average potency of sodium oxacillin tablets is satisfactory if they contain not less than 90 percent of the number of milligrams per tablet that they are represented to contain.

(b) *Moisture.* Use four tablets and proceed as directed in § 141a.26(e).

§ 141a.106 Sodium oxacillin capsules.

(a) *Potency.* Proceed as directed in § 141a.105. The average potency of the sodium oxacillin capsules is satisfactory if they contain not less than 90 percent of the number of milligrams per capsule that they are represented to contain.

(b) *Moisture.* Use the contents of 4 capsules and proceed as directed in § 141a.26(e).

§ 146.1 [Amendment]

2. Section 146.1 *Definitions and interpretations* * * *, is amended in the following respects:

a. Paragraph (b)(1) is amended by adding thereto the following new sentence: "The term 'sodium oxacillin master standard' means a specific lot of sodium oxacillin that is designated by the Commissioner as the standard of comparison in determining the potency of the sodium oxacillin working standard."

b. Paragraph (c)(2) is amended by adding thereto the following new subdivision:

(ix) The term "microgram" applied to oxacillin means the oxacillin activity (potency) contained in 1.0996 micrograms of the sodium oxacillin master standard.

(c) Paragraph (d)(1) is amended by adding thereto the following new subdivision:

(vi) The term "sodium oxacillin working standard" means a specific lot of a homogeneous preparation of sodium oxacillin.

3. Part 146a is amended by adding the following new sections:

§ 146a.12 Sodium oxacillin.

(a) *Standards of identity, strength, quality, and purity.* Sodium oxacillin is the crystalline monohydrated sodium salt of 5-methyl-3-phenyl-4-isoxazolyl penicillin. It is so purified and dried that:

(1) It contains not less than 815 micrograms of the free acid of oxacillin per milligram.

(2) It is nontoxic.

(3) Its moisture content is not more than 6.0 percent.

(4) Its pH in an aqueous solution containing 30 milligrams per milliliter is not less than 4.5 and not more than 7.5.

(5) Its sodium oxacillin content is not less than 90 percent.

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U.S.P., and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package shall bear on its outside wrapper or container and the immediate container, as hereinafter indicated, the following:

(1) The batch mark.

(2) The number of micrograms per milligram and the number of grams in the immediate container.

(3) The statement "Expiration date ----------," the blank being filled in with the date that is 24 months after the month during which the batch was certified.

(4) The statement "For use in the manufacture of nonparenteral drugs only."

(5) The statement "Caution: Federal law prohibits dispensing without prescription."

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2 of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch, and the date on which the latest assay of the drug comprising such batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him of the batch for potency, toxicity, moisture, pH, sodium oxacillin content, crystallinity, and identity.

(2) Such person shall submit with his request an accurately representative sample of the batch, consisting of nine packages, each containing approximately 300 milligrams plus one package containing approximately 2 grams, taken from a different part of the batch, packaged in accordance with the requirements of paragraph (b) of this section.

(e) *Fees.* The fees for the services rendered with respect to each batch under the regulations in this section shall be:

(1) $5.00 for each immediate container in the sample submitted in accordance with paragraph (d)(2) of this section.

(2) If the Commissioner considers that investigations other than examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 of this chapter for the issuance of a certificate, the cost of such investigations.

The fee prescribed by this paragraph shall accompany the request for certification, unless such fee is covered by an advance deposit maintained in accordance with § 146.8(d) of this chapter.

§ 146a.13 Sodium oxacillin tablets.

(a) *Standards of identity, strength, quality, and purity.* Sodium oxacillin tablets are tablets composed of sodium oxacillin, with or without one or more suitable and harmless buffer substances, diluents, binders, lubricants, colorings, and flavorings. The potency of each tablet is not less than 250 milligrams. Its moisture content is not more than 6.0 percent. The sodium oxacillin conforms to the requirements of § 146a.12 (a). Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* Unless each sodium oxacillin tablet is enclosed in a foil or plastic film and such enclosure is a tight container as defined by the U.S.P., except the provision that it shall be capable of tight reclosure, the immediate container shall be a tight container as so defined. The immediate container may also contain a desiccant separated from the tablets by a plug of cotton or other like material. The composition of the immediate container, or of the foil or film enclosure, shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* In addition to the labeling requirements prescribed by § 1.106 (b) of this chapter (regulations issued under section 502(f) of the act), each package shall bear on the outside wrapper or container and the immediate container, as hereinafter indicated, the following:

(1) The statement "Expiration date ----------," the blank being filled in with the date that is 12 months after the month during which the batch was certified.

(2) If the batch contains buffer substances, the name of each such substance used in making the batch.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2 of this chapter, a person who requests certification of a batch of sodium oxacillin tablets shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark (and unless it was previously submitted) the date on which the latest assay of the sodium oxacillin used in making such batch was completed, the number of milligrams in each tablet, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor, if any, by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch: Average potency per tablet and average moisture.

(ii) The sodium oxacillin used in making the batch: Potency, content of sodium oxacillin, toxicity, moisture, pH, crystallinity, and identity.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch: One tablet for each 5,000 tablets in the batch, but in no case less than 30 tablets, collected by taking single tablets at such intervals throughout the entire time of tableting that the quantities tableted during the intervals are approximately equal.

(ii) The sodium oxacillin used in making the batch: 10 packages, each containing not less than 300 milligrams, packaged in accordance with the requirements of § 146a.12(b).

(iii) In case of an initial request for certification, each other substance used in making the batch: One package of each, containing approximately 5 grams.

(4) The result referred to in subparagraph (2) (ii) of this paragraph and the sample referred to in subparagraph (3) (ii) of this paragraph are not required if such result and sample have been previously submitted.

(e) *Fees.* The fees for the services rendered with respect to each batch of tablets under the regulations in this section shall be:

(1) $0.75 for each tablet in the sample submitted in accordance with paragraph (d) (3) (i) of this section; $5.00 for each package in the sample submitted in accordance with paragraph (d) (3) (ii) of this section; $4.00 for each package in the sample submitted in accordance with paragraph (d) (3) (iii) of this section.

(2) If the Commissioner considers that investigations, other than examination of such tablets and packages, are necessary to determine whether or not such batch complies with the requirements of § 146.3 of this chapter for the issuance of a certificate, the cost of such investigations.

The fees prescribed by subparagraph (1) of this paragraph shall accompany the request for certification, unless such fees are covered by an advance deposit maintained in accordance with § 146.8(d) of this chapter.

§ 146a.14 Sodium oxacillin capsules.

(a) *Standards of identity, strength, quality, and purity.* Sodium oxacillin capsules are capsules composed of sodium oxacillin, with or without one or more buffer substances, diluents, binders, lubricants, vegetable oils, colorings, and flavorings, enclosed in a gelatin capsule. The potency of each capsule is not less than 250 milligrams. The moisture content is not more than 6 percent. The sodium oxacillin conforms to the requirements of § 146a.12. Each other ingredient used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging; labeling; request for certification, samples; fees.* Sodium oxacillin capsules conform to all requirements and procedures prescribed for sodium oxacillin tablets by § 146a.13 (b), (c), (d), and (e).

§ 147.1 [Amendment]

4a. In § 147.1 *Antibiotic sensitivity discs; tests and methods of assay; potency,* paragraph (c) (3) is amended by inserting in the table following the item "Ristocetin", the following new item:

Antibiotic	Volume of suspension added to each 100 ml. of seed agar used for test	Suspension number	Medium	
			Base layer	Seed layer
Sodium oxacillin---	1.0	3	E	A

b. Section 147.1(d) is amended by inserting in the table, following the item "Ristocetin", the following new item:

Antibiotic	Solvent	Standard curve (antibiotic concentration per disc)
Sodium oxacillin----	---do-----	0.67, 0.82, 1.00, 1.22, 1.5 μg.

§ 147.2 [Amendment]

5. Section 147.2 *Antibiotic sensitivity discs; certification procedure* is amended as follows:

a. Paragraph (a) is amended by inserting in the first sentence, preceding "streptomycin," the word "oxacillin," and by adding to the paragraph a new subparagraph (10), as follows:

(10) Oxacillin: 1 μg.

b. Paragraph (c) is amended by changing the introduction to subparagraph (1) (iii) (*a*) to read as follows:

(*a*) For penicillin G, dimethoxyphenyl penicillin, and oxacillin.

In the promulgation of this order, I find that notice and public procedure and a delayed effective date would be contrary to the public health because they would delay the availability of this drug. I further find that the conditions for the certification of sodium oxacillin, concerning its safety and efficacy of use, have been complied with.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-931; Filed, Jan. 26, 1962; 8:48 a.m.]

PART 141e—BACITRACIN AND BACITRACIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

Bacitracin-Neomycin Tablets; Moisture

No comments nor objections were filed to the proposal of the Commissioner of Food and Drugs published in the FEDERAL REGISTER of October 20, 1961 (26 F.R. 9873) regarding moisture

tests in bacitracin-neomycin tablets. Therefore, effective as of the date of publication of this order in the FEDERAL REGISTER, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357), and under the authority vested in the Secretary of Health, Education, and Welfare and delegated to the Commissioner (25 F.R. 8625): *It is ordered,* That the regulations for tests and methods of assay for bacitracin and bacitracin-containing drugs (21 CFR 141e.410) be amended as follows:

Section 141e.410(b)(3) is amended to read as follows:

§ 141e.410 Bacitracin-neomycin tablets; zinc bacitracin-neomycin tablets; bacitracin methylene disalicylate-neomycin tablets.

* * * * *

(b) * * *

(3) *Moisture.* In an atmosphere of about 10 percent relative humidity, transfer about 100 milligrams of the finely powdered sample to a tared weighing bottle equipped with ground-glass top and stopper. Weigh the bottle and place it in a vacuum oven, tilting the stopper on its side so that there is no closure during the drying period. Dry at a temperature of 60° C. and a pressure of 5 millimeters of mercury or less for 3 hours. At the end of the drying period fill the vacuum oven with air dried by passing it through a drying agent such as sulfuric acid or silica gel. Replace the stopper and place the weighing bottle in a desiccator over a desiccating agent such as phosphorous pentoxide or silica gel, allow to cool to room temperature, and reweigh. Calculate the percent loss.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-919; Filed, Jan. 26, 1962; 8:47 a.m.]

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Phenethicillin Potassium

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for certification of penicillin and penicillin-containing drugs (21 CFR 146a.16, 146a.17; 26 F.R. 7733) are amended as follows:

1. In § 146a.16, paragraph (c)(3) is amended to read as follows:

§ 146a.16 Phenethicillin potassium (potassium α-phenoxyethyl penicillin).

* * * * *

(c) *Labeling.* * * *

(3) The statement "Expiration date ------," the blank being filled in with the date that is 24 months after the month during which the batch was certified, except that the blank may be filled in with the date that is 30 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for such period of time such drug as prepared by him complies with the standards prescribed by paragraph (a) of this section.

2. Section 146a.17 is amended in the following respects:

a. Paragraph (a) is amended by changing the text of the third sentence. As amended, this paragraph reads as follows:

§ 146a.17 Phenethicillin potassium (potassium α-phenoxyethyl penicillin) tablets.

(a) *Standards of identity, strength, quality, and purity.* Phenethicillin potassium tablets are tablets composed of phenethicillin potassium, with or without one or more suitable and harmless buffer substances, diluents, binders, lubricants, colorings, and flavorings, and with or without one or more suitable analgesic substances, antihistaminics, and vasoconstrictors. The potency of each tablet is not less than 50,000 units, and if it is less than 100,000 units it is unscored. Its moisture content is not more than 1.5 percent unless the person who requests certification has submitted to the Commissioner information adequate to prove that his drug is stable when it has a moisture content exceeding this amount. In no case shall its moisture content exceed 2.0 percent. The phenethicillin potassium conforms to the requirements of § 146a.16(a). Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

b. Paragraph (c)(1)(v) is amended by changing the words "18 months or 24 months" to read "18 months, 24 months, or 30 months".

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the changes are not restrictive in nature and cannot be applied to any specific product unless and until the manufacturer thereof has supplied adequate data regarding that article.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: January 23, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-932; Filed, Jan. 26, 1962; 8:48 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter III—Corps of Engineers, Department of the Army

PART 311—PUBLIC USE OF CERTAIN RESERVOIR AREAS

Prompton and Navarro Mills Reservoir Projects

The Secretary of the Army having determined that the use of Prompton Reservoir Area, Lackawaxen River, Pennsylvania and Navarro Mills Reservoir, Richland Creek, Tex., by the general public for boating, swimming, bathing, fishing and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoirs for their primary purposes, hereby prescribes rules and regulations for their public use, pursuant to the provisions of Section 209 of the Flood Control Act of 1954 (68 Stat. 1266) adding the reservoirs to those listed in § 311.1, as follows:

§ 311.1 Areas covered.

* * * * *

PENNSYLVANIA

* * * * *

Prompton Reservoir Area, Lackawaxen River.

TEXAS

* * * * *

Navarro Mills Reservoir Area, Richland Creek.

[Regs., December 28, 1961, ENGCW-OM] (Sec. 4, 58 Stat. 889, as amended; 10 U.S.C. 460d)

J. C. LAMBERT,
Major General, U.S. Army, The Adjutant General.

[F.R. Doc. 62-902; Filed, Jan. 26, 1962; 8:45 a.m.]

Title 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

PART 3—FORMS FOR PATENT CASES

Miscellaneous Amendments

The following amendments are made, to take effect thirty days after publication in the FEDERAL REGISTER.

The text of amendments numbered 2 to 7 was published in the FEDERAL REGISTER for August 15, 1961 (26 F.R. 7550-1), and all persons who desired were invited to submit written data, views, arguments or suggestions in connection with the proposed amendments and the amendments are adopted after consideration of all the material submitted.

The text of a proposed amendment corresponding to that listed first was similarly published in the FEDERAL REGISTER for October 7, 1961 (26 F.R. 9514–5), and an oral hearing was held on November 20, 1961. Objections to the breadth of the proposal as published were considered with the result that it is narrowed to the amendment as adopted, substantially in accordance with suggestions which were made. As a result of this change, the manner of taking effect originally announced is considered unnecessary and the new provision may be applied to any decision in accordance with its terms.

1. Section 1.14 is amended by adding a new paragraph (d) as follows:

§ 1.14 Patent applications preserved in secrecy.

* * * * *

(d) Selected decisions of the Board of Appeals, or of the Commissioner, in abandoned applications not otherwise open to public inspection (paragraph (b) of this section) may be published or made available for publication at the Commissioner's discretion, unless the applicant timely presents sufficient reasons for not doing so. The applicant will be notified, through the attorney of record in the application file, when it is proposed to release such a decision and a time not less than thirty days set for presenting any such reasons. The fact that the subject matter of the application has not been made public in any manner, or that the same subject matter is being prosecuted in a pending application, will be considered sufficient reason for not releasing the decision if the applicant so requests unless the text of the decision contains no description of such subject matter. Other reasons presented will be duly considered.

2. Paragraph (a) of § 1.203 is amended by cancelling the last sentence and inserting a sentence in lieu thereof; as amended paragraph (a) reads as follows:

§ 1.203 Preparation for interference between applications; suggestion of claims for interference.

(a) Before the declaration of interference, it must be determined that there is common patentable subject matter in the cases of the respective parties, patentable to each of the respective parties, subject to the determination of the question of priority. Claims in the same language, to form the counts of the interference, must be present or be presented, in each application; except that, in cases where, owing to the nature of the disclosures in the respective applications, it is not possible for all applications to properly include a claim in identical phraseology to define the common invention, an interference may be declared, with the approval of the Commissioner, using as a count representing the interfering subject matter a claim differing from the corresponding claims of one or more of the interfering applications by an immaterial limitation or variation.

3. Paragraph (a) of § 1.232 is amended by canceling "or if the interference involves a patent, a claim of which has been copied in modified form." and inserting in lieu thereof: "or as to a claim included as a count under the last sentence of § 1.203(a) or the last sentence of § 1.205(a)." As amended, paragraph (a) reads as follows:

§ 1.232 Motions to dissolve.

(a) Motions to dissolve an interference may be brought on the ground (1) that there has been such informality in declaring the same as will preclude the proper determination of the question of priority of invention, or (2) that the claims forming the counts of the interference are not patentable, or are not patentable to a particular applicant, while being patentable to another party, or (3) that a particular party has no right to make the claims, or (4) that there is no interference in fact if the interference involves a design or plant patent or application, or as to a claim included as a count under the last sentence of § 1.203(a) or the last sentence of § 1.205(a).

4. Paragraph (d) of § 1.233 is amended to read as follows:

§ 1.233 Motions to amend.

* * * * *

(d) The proposed claims (1) must be indicated to be patentable in the opinion of the moving party in each of the applications involved in the motion and (2) must, unless they stand allowed, be distinguished from the prior art of record or sufficient other reason for their patentability given. Furthermore, (3) the reason why an additional count is necessary must be stated. When more than one count is proposed, the motion (4) must point out wherein they differ materially from each other and (5) must show why each proposed count is necessary to the interference. The proposed claims (6) must also be applied to the disclosure of each application involved in the motion, except as to an application in which the claims already appear and the claims identified as originating therein.

5. Section 1.235 is amended to read as follows:

§ 1.235 Motions relating to burden of proof.

Any party may bring a motion to shift the burden of proof (a) on the ground that he is entitled to the benefit of the filing date of an earlier domestic or foreign application, or (b) on the ground that an opposing party is not entitled to the benefit of an earlier application of which he has been given the benefit in the declaration (see § 1.224).

6. Paragraph (g) of § 1.341 is amended by cancelling "in which he served, on the date he left said division" and inserting in lieu thereof "during his period of service therein". As amended, paragraph (g) reads as follows:

§ 1.341 Registration of attorneys and agents.

* * * * *

(g) *Former examiners.* No person who has served in the examining corps of the Patent Office will be registered after termination of his services, nor, if registered before such service, be reinstated, unless he undertakes (1) not to prosecute or aid in any manner in the prosecution of any application pending in any examining division during his period of service therein; and (2) not to prepare or prosecute nor to assist in any manner in the preparation or prosecution of any application of another filed within two years after the date he left such division, and assigned to such division, without the specific authorization of the Commissioner. Associated and related classes in other divisions may be required to be included in the undertaking or designated classes may be excluded. In case application for registration or reinstatement is made after resignation from the Office, the applicant will not be registered, or reinstated, if he has prepared or prosecuted, or assisted in the preparation or prosecution of any such application as indicated in this paragraph.

7. Section 3.47 is amended by changing the part of the form following the subheading "Proof of Service". As amended § 3.47 reads as follows:

§ 3.47 Interference; notice of taking testimony.

_____ v. _____ } Interference No. _____

_____, 19____

_____
(Name of opposing attorney)

_____
(Address of opposing attorney)

SIR: You are hereby notified that on _____, _____, 19____, at____ o'clock in the forenoon at the office of _____, _____ Street, _____, _____, I shall proceed to take testimony on behalf of the party _____ in the above identified interference.

The witnesses to be examined are:

(Name of witnesses)	(Residence of witnesses)
_____	_____
_____	_____

The examination will continue from day to day until completed. You are invited to attend and cross-examine.

_____
(Signature of attorney)

Proof of Service

_____, 19____

I hereby certify that on_____, 19___, I served a copy of the foregoing notice of taking testimony upon _____, the attorney for the party _____, by mailing a copy thereof to him at his address as set out in the notice.

_____
(Signature of attorney)

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6. Interprets or applies sec. 1, 66 Stat. 801; 35 U.S.C. 122, 135)

DAVID L. LADD,
Commissioner of Patents.

Approved:

HICKMAN PRICE,
Assistant Secretary of Commerce for Domestic Affairs.

[F.R. Doc. 62-915; Filed, Jan. 26, 1962; 8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2460]

[Sacramento 052890]

CALIFORNIA

Establishing Certain National Cooperative Land and Wildlife Management Areas

Correction

In F.R. Doc. 61–7876 appearing at page 7701 of the issue for Thursday, August 17, 1961, the land description for "Mount Diablo Meridian [Sacramento 052890]" is corrected by changing sec. 27 of T. 36 N., R. 5 E., to read "Sec. 27, NE¼, E½NW¼, E½SW¼, and N½SE¼;".

[Public Land Order 2595]

[Sacramento 053883]

CALIFORNIA

Modifying Public Land Order No. 2136 of June 22, 1960

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 2136 of June 22, 1960, so far as it withdrew lands for use of the National Park Service in connection with its administration of the Yosemite National Park, is hereby modified to the extent necessary to permit prospecting, location, entry, and purchase of the following described lands under the mining laws of the United States:

MOUNT DIABLO MERIDIAN

T. 3 S., R. 20 E.,
Sec. 18, a parcel of land situated in the S½SW¼ bounded by a line particularly described as follows:
Beginning at Corner No. 1, from which the ¼ Corner between sections 17 and 18 of said Township and Range bears N. 60°35'11" E., 4,101.2 feet distant; thence N. 0°55¼' W., 393.6 feet to Corner No. 2; N. 32°37½' W., 640.0 feet to Corner No. 3; N. 48°28' W., 174.9 feet to Corner No. 4; S. 12°9¼' W., 921.7 feet to Corner No. 5; S. 77°41¾' E., 692.3 feet, the point of beginning.

The tract described contains about 9.78 acres.

2. This order shall be effective at 10:00 a.m. of February 28, 1962.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 23, 1962.

[F.R. Doc. 62–913; Filed, Jan. 26, 1962; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[27 CFR Parts 4, 5]

LABELING AND ADVERTISING OF WINE AND DISTILLED SPIRITS

Notice of Hearing on Proposed Amendments

Notice is hereby given, pursuant to the provisions of section 5 of the Federal Alcohol Administration Act (49 Stat. 981 as amended; 27 U.S.C. 205), of a public hearing to be held at 10:00 a.m., e.s.t., on February 27, 1962, in Room 3313, Internal Revenue Building, 12th Street and Constitution Avenue NW., Washington 25, D.C., at which time and place all interested parties will be afforded opportunity to be heard, in person or by authorized representative, with reference to proposals, the substance of which is stated below, to amend 27 CFR Part 4 relating to labeling and advertising of wine and 27 CFR Part 5 relating to labeling and advertising of distilled spirits.

Written data, views, or arguments relevant and material to these proposals may be submitted in duplicate for incorporation into the record of hearing (1) by mailing the same to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington 25, D.C., provided they are received prior to the termination of the hearing, or (2) by presenting the same at the said hearing. At the conclusion of the hearing a reasonable opportunity will be afforded interested parties for examination of the record and for the submission of briefs.

SUBSTANCE OF PROPOSALS

1. To amend § 4.45 of 27 CFR Part 4 by redesignating that section as § 4.45(a) and adding a new paragraph reading substantially as follows:

(b) Notwithstanding the requirements of paragraph (a) of this section and of subparagraph (3) of § 4.39(b), imported wine may be withdrawn from customs custody without the immediate presentation of the prescribed certificate of origin or of vintage year if a bond in a penal sum equal to the value of the merchandise plus customs duty and internal revenue tax is given by the importer to the collector of customs at the port of entry, conditioned upon the production of such certificate within 90 days from the date of entry of the wine covered thereby. All bonds furnished under the provisions of this paragraph shall contain a proviso that if the required certificate is not produced there will be no mitigation of the penalty regardless of the circumstances alleged to have caused such failure.

2. To amend § 5.20 of 27 CFR Part 5 by deleting the last sentence thereof reading: "Nothing contained in these standards of identity shall be construed as authorizing the nonindustrial use of any distilled spirits produced in an industrial alcohol plant, except that 'alcohol' or 'neutral spirits,' as defined in this part, may be so used if produced pursuant to the basic permit requirements of the Federal Alcohol Administration Act."

3. To amend the first paragraph of § 5.21(b) of 27 CFR Part 5 and subparagraph (2) thereof, by deleting from each the phrase "and withdrawn from the distillery at not more than 110° and not less than 80° proof, whether or not such proof is further reduced prior to bottling to not less than 80° proof" and inserting in lieu thereof wording substantially as follows: "entered for storage in wooden containers of the appropriate type at not more than 125° proof and bottled at not less than 80° proof".

4. To amend § 5.32(b) of 27 CFR Part 5 by adding a new subparagraph reading substantially as follows:

(4) In the case of distilled spirits imported in bottles, which were bottled in a foreign country other than the country of origin, the name and address of the bottler or the place where bottled in accordance with § 5.35.

and

To amend § 5.35(b)(1) by adding a new sentence at the end thereof reading substantially as follows: "On labels of distilled spirits imported in bottles, which were bottled in a foreign country other than the country of origin, there shall also be stated the phrase 'bottled in --------', the blank to be filled in with the name of the country where bottled, or the name of the bottler preceded by the words 'bottled by' and followed by the address of the place where bottled".

5. To amend § 5.46 of 27 CFR Part 5 by adding at the end thereof a new paragraph reading substantially as follows:

(f) Notwithstanding the requirements of paragraphs (a) through (e) of this section, distilled spirits in bottles may be withdrawn from customs custody without the immediate presentation of the prescribed certificate of origin or of age and origin if a bond in a penal sum equal to the value of the merchandise plus customs duty and internal revenue tax is given by the importer to the collector of customs at the port of entry, conditioned upon the production of such certificate within 90 days from the date of entry of the distilled spirits covered thereby. All bonds furnished under the provisions of this paragraph shall contain a proviso that if the required certificate is not produced there will be no mitigation of the penalty regardless of the circumstances alleged to have caused such failure."

[SEAL] DWIGHT E. AVIS,
Director, Alcohol and Tobacco Tax Division, Internal Revenue Service.

[F.R. Doc. 62-995; Filed, Jan. 26, 1962; 10:17 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 1131]

[Docket No. AO-271-A5]

MILK IN CENTRAL ARIZONA MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Ramada Inn, 3825 East Van Buren Avenue, Phoenix, Ariz., beginning at 10:00 a.m., local time, on February 14, 1962, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the central Arizona marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposal relative to a redefinition of the marketing area raises the issue whether the provisions of the present order would tend to effectuate the declared policy of the act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Federated Producers Association of Phoenix, Ariz.:

Proposal No. 1. Amend § 1131.6 to enlarge the marketing area to include the counties of Yavapai, Coconino, Navajo, Apache, and Gila, all in the State of Arizona.

Proposed by the Carnation Company of Los Angeles, Calif.:

Proposal No. 2. Expand the marketing area definition to include Yavapai, Mojave, Coconino, Gila, Navajo, and Santa Cruz Counties.

Proposed by the United Dairymen of Arizona:

Proposal No. 3. Delete § 1131.11 and substitute the following:

§ 1131.11 Producer-handler.

"Producer-handler" means any person who is both a dairy farmer and the operator of a plant from which fluid milk products are disposed of on routes in the marketing area, but who receives no milk

from other dairy farmers or from any source other than a pool plant and who does not receive from pool plants an amount representing more than 5 percent of his total Class I utilization for the month: *Provided,* That such person provides proof satisfactory to the market administrator that (a) the maintenance, care and management of all the dairy animals and other resources necessary to produce the entire amount of milk handled (other than that received from pool plants) is the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (b) the operation of such plant is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

Proposed by the Federated Producers Association of Phoenix, Ariz.:

Proposal No. 4. Delete § 1131.11 and substitute the following:

§ 1131.11 Producer-handler.

"Producer-handler" means any person who:

(a) Produces milk and operates a distributing plant; providing that such person provides satisfactory proof to the market administrator and, (1) the maintenance, care, and management of all the dairy animals and other resources necessary to produce the entire amount of milk handled (other than that received from pool plants) is the personal enterprise and at the personal risk of such person in his capacity as a producer; and that the operation of such distributing plant and retail or wholesale outlets are the personal enterprise and at the personal risk of such person in his capacity as a producer-handler;

(b) Receives no milk from other producers;

(c) Disposes of no other source milk as Class I;

(d) Receives from pool plants an amount of milk equal to not more than five percent of his own production; and

(e) Whose Class I sales do not exceed 1,000 gallons of fluid milk daily.

Proposed by the United Dairymen of Arizona:

Proposal No. 5. Amend § 1131.22(k) to provide for the announcement of a price f.o.b. Phoenix rather than Tucson.

Proposal No. 6. In § 1131.41 provide a new Class II as all skim milk and butterfat used in the production of cottage cheese and change the present Class II designation to Class III, with skim milk and butterfat used in the production of cottage cheese being deleted from that classification.

Proposed by Beatrice Foods Company of Chicago, Ill.:

Proposal No. 7. Amend § 1131.41(b) by adding subparagraphs (4) and (5):

(4) Skim milk represented by nonfat milk solids added to a fluid milk product which is in excess of the weight of an equivalent volume of the fluid milk product prior to such addition;

(5) Skim milk and butterfat in fluid milk products disposed of in bulk to commercial food establishments such as bakeries, candy manufacturers or other commercial food processing plants;

Renumber present subparagraph (4) as subparagraph (6).

Proposal No. 8. Amend § 1131.44 "Computation of skim milk and butterfat in each class" by deleting the proviso relative to accounting for nonfat milk solids in concentrated form on a milk equivalent basis and make such other conforming changes as are necessary in other sections of the order so that such accounting shall be made on an actual weight basis.

Proposed by the Borden Company of Phoenix, Ariz.:

Proposal No. 9. Amend § 1131.44 in respect to the proviso so that the net accounting for skim milk by the handler is based on the weight of the product disposed of rather than an amount equivalent to the nonfat milk solids, plus all the water originally associated with such solids. This can be accomplished by eliminating the language contained in the proviso, or classifying in § 1131.41 the water originally associated with nonfat milk solids as Class II milk and consider such milk as receipts of other source milk.

Proposed by the United Dairymen of Arizona:

Proposal No. 10. Add as § 1131.50(c) the following:

(c) The average of the prices reported to have been paid for manufacturing milk at plants included in the listing by the Department and known as the Minnesota-Wisconsin manufacturing price series: *Provided,* That such price shall be adjusted from an average test basis to a 3.8 percent basis by the use of a direct ratio butterfat differential.

Proposal No. 11. Amend § 1131.51 as follows:

A. In § 1131.51(a) change present $2.75 to $2.65.

B. Substitute in § 1131.51(a)(2)(iii) the following standard utilization table:

Month for which price applies	Months used in computation	Standard utilization percentages	
		Minimum	Maximum
January	October-November	113	120
February	November-December	115	122
March	December-January	116	123
April	January-February	116	123
May	February-March	117	124
June	March-April	117	124
July	April-May	118	125
August	May-June	118	125
September	June-July	116	123
October	July-August	114	121
November	August-September	113	120
December	September-October	113	120

In § 1131.51(a)(3), change one cent each time it appears to one-half cent.

Proposed by the Federated Producers Association of Phoenix, Ariz.:

Proposal No. 12. Amend § 1131.51 as follows:

A. Insert between the words "decreased" and "by" in the fourth line of paragraph (a) "during the months of October through June".

B. Delete § 1131.51(a)(1) and substitute therefor:

(1) Divide the total gross volume of Class I milk (excluding inter-handler transfers that would result in the same milk being accounted for a second time as Class I milk) for the second and third months preceding (excluding Class I sales from another Federal order market) by the total producer production for the same months (excluding the Class I sales pounds from another Federal order market), and adjust to the nearest percentage point. The resulting percentage shall be known as the "Class I utilization percentage."

C. Delete § 1131.51(a)(2)(i), (ii), and (iii) and substitute therefor the following:

(i) If the Class I utilization percentage is neither less than the minimum standard utilization percentage specified below nor in excess of the maximum standard utilization percentage specified below, the net deviation percentage is zero,

(ii) Any amount by which the Class I utilization percentage is less than the minimum standard percentage specified below is a "minus net deviation percentage", and

(iii) Any amount by which the Class I utilization percentage exceeds the maximum standard utilization percentage specified below is the "plus net deviation percentage".

Months for which price applies	Months used in computation	Standard utilization percentages	
		Minimum	Maximum
January	October-November	81	85
February	November-December	82	86
March	December-January	82	86
April	January-February	80	84
May	February-March	80	84
June	March-April	76	80
October	May-June	75	79
November	June-July	78	82
December	July-October	79	83

D. In § 1131.51(a)(3) change the word "increased" in the second line to "decreased" and the word "decreased" in the fourth line to "increased".

Proposed by the United Dairymen of Arizona:

Proposal No. 13. In § 1131.51(b) following "pursuant to § 1131.50(b)" add the words "plus 20 cents".

Proposal No. 14. In § 1131.51 add the following paragraph (c):

(c) *Class III milk price.* The Class III milk price shall be the butter powder price computed pursuant to § 1131.50(b).

Proposed by the Beatrice Foods Company of Chicago, Ill.:

Proposal No. 15. In § 1131.50(a) delete the words "and multiply by 3.8" and in § 1131.50(b)(1), § 1131.52, and § 1131.72, delete the figure "3.8" and substitute "3.5".

Proposed by the United Dairymen of Arizona:

Proposal No. 16. In § 1131.52(a) delete the number "0.135" and substitute the number "0.130".

Proposal No. 17. In § 1131.52 add the following paragraph (c):

(c) *Class III price.* Multiply the Chicago butter price for the current month by 0.115.

Proposal No. 18. Delete § 1131.72 and substitute the following:

§ 1131.72 Butterfat differential to producers.

The applicable uniform prices to be paid each producer shall be increased or decreased for each one-tenth of one percent which the average butterfat content of his milk is above or below 3.8 percent, respectively, at the rate determined by multiplying the Chicago butter price by 0.130 and rounding to the nearest even tenth of a cent.

Proposed by the Federated Producers Association of Phoenix, Ariz.:

Proposal No. 19. In § 1131.53 change last sentence to read "For each additional 10 miles or fraction thereof an additional 0.5 (½) cent."

Proposed by the United Dairymen of Arizona:

Proposal No. 20. In § 1131.41(b) (4) (v) change the words "other milk plants" to read "other pool plants".

Proposed by the Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service:

Proposal No. 21. Clarify § 1131.61 by deleting the reference to "nonpool plant" in the introductory paragraph and substitute "exempt plant". In § 1131.61(a) delete the word "pool" which precedes "plant".

Proposal No. 22. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Mr. Wilson M. Haverfield, 2617 North 24th Street, Phoenix 8, Ariz., or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on January 24, 1962.

ROBERT G. LEWIS,
Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-949; Filed, Jan. 26, 1962; 8:50 a.m.]

[9 CFR Part 301]

[Dockets Nos. AO 336 RO 1, AO 337 RO 1]

TURKEY HATCHING EGGS AND TURKEYS

Amendment to Notice Reopening Hearing on Proposed Marketing Agreements and Proposed Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601-674), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the amendment of the Notice of Reopening of the Hearing on Proposed Marketing Agreements and Orders Relating to Turkey Hatching Eggs and Turkeys which was published in the FEDERAL REGISTER on January 18, 1962 (27 F.R. 518). Such notice is hereby amended to extend the days of hearing from January 29 through January 31, 1962 to January 29 through February 1, 1962.

Copies of this notice amending the notice of reopening of the hearing may be obtained from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may there be inspected.

Dated: January 25, 1962.

JAMES T. RALPH,
Assistant Secretary.

[F.R. Doc. 62-981; Filed, Jan. 26, 1962; 9:19 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 120, 121]

PESTICIDE RESIDUES; FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 408(d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348(b)(5)), notice is given that a petition has been filed by Hercules Powder Company, Wilmington 99, Del., proposing the establishment of pesticide tolerances of 4.9 parts per million for residues of 2,3-*p*-dioxanedithiol-*S,S*-bis(*O,O*-diethyl phosphorodithioate) in or on apples, crabapples, pears, and quinces.

The petition also proposes the issuance of a regulation to provide a food additive tolerance of 21 parts per million for residues of this pesticide chemical in dried apple pomace resulting from carryover and concentration of residues in this feed item processed from such apples.

The analytical method proposed in the petition for determining residues of 2,3-*p*-dioxanedithiol-*S,S*-bis(*O,O*-diethyl phosphorodithioate) is the method of C. L. Dunn reported in the Journal of Agricultural and Food Chemistry, Volume 6, pages 203-209 (March 1958).

Dated: January 22, 1962.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 62-930; Filed, Jan. 26, 1962; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600]

[Airspace Docket No. 61-NY-51]

FEDERAL AIRWAY

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.1508 of the regulations of the Administrator, the substance of which is stated below.

Intermediate altitude VOR Federal airway No. 1508 extends in part as a common airway segment with VOR Federal airway No. 1510 from the Selinsgrove, Pa., VOR to the Monmouth, N.J., intersection (intersection of the Yardley, Pa., VOR 098° and the Coyle, N.J., VOR 032° True radials). The Federal Aviation Agency has under consideration the realignment of Victor 1508 from the Selinsgrove VOR as a 10-mile wide airway to the intersection of the Selinsgrove VOR 103° and the Allentown, Pa., VOR 248° True radials; thence 12-mile wide airway to the intersection of the Selinsgrove VOR 103° and the Allentown VOR 223° True radials; thence 14-mile wide airway to the intersection of the Selinsgrove VOR 103° and the Allentown VOR 188° True radials at which point it would terminate. This realignment of Victor 1508 would provide a route east of the Selinsgrove VOR which would overlie low altitude VOR Federal airway No. 30 to the Coopersburg, Pa., intersection. This route would be utilized for the transitioning of high and intermediate altitude air traffic destined to land at Newark, N.J. The airway width reductions would provide separation from intermediate altitude VOR Federal airways Nos. 1510, 1514, 1516, and 1522.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 22, 1962.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-906; Filed, Jan. 26, 1962; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 61–FW–36]

CONTROLLED AIRSPACE

Proposed Alteration of Control Zone

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.-13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2081 of the regulations of the Administrator, the substance of which is stated below.

The Jacksonville, N.C., control zone is presently designated within a 3-mile radius of the New River MCAF, Jacksonville, N.C., and within 2 miles either side of a 226° True bearing extending from the New River MCAF to 12 miles southwest, excluding the portion within Restricted Area R–5306C.

The Federal Aviation Agency has under consideration the alteration of the Jacksonville control zone by designating a control zone extension to the northeast within 2 miles either side of the 046° True bearing from the New River radio beacon extending from the 3-mile radius zone to 12 miles northeast of the radio beacon. This would provide protection for aircraft executing the prescribed instrument approach procedure based on the 046° True bearing from the New River radio beacon. It is also proposed to redesignate the southwest control zone extension by basing it on the New River radio beacon in lieu of the New River MCAF to correctly identify the navigational facility used for ADF approach procedures at the New River MCAF.

If these actions are taken the Jacksonville, N.C., control zone would be redesignated within a 3-mile radius of the New River MCAF (latitude 34°42'25'' N., longitude 77°26'35'' W.), within 2 miles either side of the 046° and 226° True bearings from the New River radio beacon (latitude 34°43'18'' N., longitude 77°25'48'' W.) extending from the 3-mile radius zone to 12 miles northeast and southwest of the radio beacon, excluding the portion which would coincide with R–5306C. The portion of this control zone which would coincide with R–5307 would be used only after obtaining prior approval from appropriate authority.

After implementation of Amendment 60–21 to Civil Air Regulations, Part 60, Air Traffic Rules, further alteration of the Jacksonville control zone may be required. If this is necessary, a new proposal concerning the control zone will be initiated after completion of coordination and resolution of terminal procedures.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 52 Fairlie Street NW., Atlanta 3, Ga. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 23, 1962.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–904; Filed, Jan. 26, 1962; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 61–WA–212]

CONTROLLED AIRSPACE

Proposed Alteration of Control Area Extension

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.1065 of the regulations of the Administrator, the substance of which is stated below.

On January 11, 1962, new aircraft holding pattern procedures were implemented within the continental limits of the United States and in areas beyond such limits where adequate controlled airspace was currently established. Procedures requiring the designation of additional controlled airspace beyond the continental limits will be implemented upon completion of the processing of appropriate amendments to the regulations of the Administrator. These procedures were developed to accommodate the increasing variety of aircraft speeds and operating altitudes in the IFR environment and provide for the containment of aircraft holding manuevers within the holding pattern areas designed for such operation. However, a number of these holding pattern areas require the designation of additional controlled airspace to encompass the increased dimensions of such areas. The pilot then need only adhere to the standardized operating procedures to remain within controlled airspace.

To fulfill additional controlled airspace requirements for the implementation of these procedures in the New Orleans, La., Air Route Traffic Control Center area, the FAA is considering the following airspace action:

The Biloxi, Miss., control area extension (§ 601.1065) would be redesignated within a 25-mile radius of the Keesler AFB radio beacon, including the airspace bounded on the east by longitude 88°30'00'' W., on the southeast and south by a line 15 miles south of and parallel to low altitude VOR Federal airway No. 22, on the west by longitude 89°10'00'' W., and on the north by the Biloxi control area extension 25-mile radius area, excluding the portion which would coincide with the Gulfport, Miss., Warning Area (W–453). This would provide additional controlled airspace for the protection of aircraft in holding patterns at the Dog Intersection (intersection of the Gulfport VOR 173° and the New Orleans, La., VORTAC 085° True radials).

Because of the time limitations imposed by the effective date of the revised holding pattern procedures, implementation of the provisions of Amendment 60–21 to the Civil Air Regulations, Part 60, Air Traffic Rules is being deferred in this instance. Upon completion of the review of the controlled airspace requirements presently being conducted attendant to these provisions, separate airspace action will be initiated to convert this control area extension to a transition area with an appropriate controlled airspace floor assignment.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 52 Fairlie Street NW., Atlanta 3, Ga. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

(Secs. 307(a) and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565)

Issued in Washington, D.C., on January 23, 1962.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–905; Filed, Jan. 26, 1962; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-FW-72]

CONTROLLED AIRSPACE

Alteration of Proposed Designation of Transition Area

In a notice of proposed rule making published in the FEDERAL REGISTER on September 22, 1961 (26 F.R. 8951), it was stated that the Federal Aviation Agency proposed to designate a transition area at Meridian (NAAS Meridian), Miss.

Subsequent to the publication of the notice, the Department of the Navy requested that additional airspace west northwest of NAAS Meridian be included within the proposed transition area for the protection of aircraft executing instrument approach and departure procedures in this area.

Accordingly, the notice is hereby amended to propose that the Meridian (NAAS Meridian) transition area be designated to extend upward from 1,200 feet above the surface within the airspace west and north of the Meridian NAAS bounded by a line beginning at latitude 32°47'00" N., longitude 89°30'00" W.; to latitude 32°50'00" N., longitude 89°21'00" W.; to latitude 32°41'30" N., longitude 88°44'00" W.; to latitude 33°03'00" N., longitude 88°57'40" W.; to latitude 33°05'40" N., longitude 88°52'40" W.; thence east along a 45-mile radius arc centered at the Columbus AFB latitude 33°38'35" N., longitude 88°26'40" W., Columbus, Miss., to the north boundary of VOR Federal airway No. 18 north alternate; thence via the north boundary of VOR Federal airway No. 18 north to the point of beginning, excluding the portion which would coincide with the Meridian control area extension (§ 601.1018); and within the airspace southeast of the Meridian NAAS bounded on the north by VOR Federal airway No. 18, on the east by VOR Federal airway No. 209, and on the south by VOR Federal airway No. 154.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views, or arguments, the date for filing such material will be extended to February 23, 1962.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), I hereby give notice that the time within which comments will be received for consideration on Airspace Docket No. 60-FW-72 is extended to February 23, 1962. Communications should be submitted in triplicate to the Assistant Administrator, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 52 Fairlie Street NW., Atlanta 3, Ga.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; U.S.C. 1348).

Issued in Washington, D.C., on January 22, 1962.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-907; Filed, Jan. 26, 1962; 8:45 a.m.]

[14 CFR Parts 601, 608]

[Airspace Docket No. 61-FW-103]

CONTROLLED AIRSPACE AND SPECIAL USE AIRSPACE

Proposed Alteration of Restricted Area and Control Area Extension

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 608.51 and 601.1399 of the regulations of the Administrator, the substance of which is stated below.

The Melrose, N. Mex., Restricted Area R-5104 is designated from the surface to 23,000 feet MSL during the period from sunrise to sunset, daily. The Melrose, N. Mex., Restricted Area R-5105 is designated from the surface to 14,000 feet MSL during the period from sunrise to sunset, daily. The description of R-5105 further states that this restricted area will be used only when the ceiling is more than 3,000 feet and the visibility greater than 5 miles. The Clovis, N. Mex., control area extension is designated within a 30-mile radius of Clovis Air Force Base, excluding the portions which lie within R-185 and R-529. The Clovis AFB has since been named the Cannon AFB and R-185 and R-529 have been renumbered R-5104 and R-5105 respectively.

The Federal Aviation Agency and the Department of the Air Force have agreed to joint use of R-5104 and R-5105. Therefore, it is proposed to designate the Albuquerque, N. Mex., Air Route Traffic Control Center as the controlling agency for R-5104 and R-5105 and to delete the reference to the weather conditions contained in the description of R-5105. It is further proposed to alter the Clovis control area extension to include all of the airspace encompassed within R-5104 and R-5105. These proposed actions would reflect the joint-use status of R-5104 and R-5105, and promote more efficient utilization of the areas by providing additional controlled airspace for flexibility in routing traffic from the west to Cannon AFB and routing traffic departing Cannon AFB to points west and to join VOR Federal airway No. 1536. In addition, these actions will provide controlled airspace to facilitate jet aircraft penetrations to Cannon AFB from points southwest and west. The deletion of the reference to weather conditions in R-5105 will establish a more stable time designation during which planned operations can be more readily accomplished and will promote a more orderly release of the area for air traffic control purposes.

If these actions are taken, the Melrose Restricted Areas R-5104 and R-5105 (§ 608.51) would be amended to read:

R-5104 Melrose, N. Mex.

Boundaries. Beginning at latitude 34°28'-00" N., longitude 103°43'15" W.; to latitude 34°25'25" N., longitude 103°40'00" W.; to latitude 34°10'00" N., longitude 103°40'00" W.; to latitude 34°10'00" N., longitude 103°-55'00" W.; to latitude 34°28'00" N., longitude 103°55'00" W.; to point of beginning.

Designated altitudes. Surface to 23,000 feet MSL.

Time of designation. Sunrise to sunset.

Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center.

Using agency. Commander, Cannon AFB, N. Mex.

R-5105 Melrose, N. Mex.

Boundaries. Beginning at latitude 34°39'-00" N., longitude 103°55'00" W.; to latitude 34°39'00" N., longitude 103°40'00" W.; to latitude 34°25'25" N., longitude 103°40'00" W.; to latitude 34°28'00" N., longitude 103°-43'15" W.; to latitude 34°28'00" N., longitude 103°55'00" W.; to the point of beginning.

Designated altitudes. Surface to 14,000 feet MSL.

Time of designation. Sunrise to sunset.

Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center.

Using agency. Commander, Cannon AFB, N. Mex.

The Clovis control area extension (§ 601.1399) would be amended to read:

The airspace within a 30-mile radius of Cannon Air Force Base (latitude 34°23'01" N., longitude 103°18'58" W.) including the airspace west of Cannon AFB bounded on the S by latitude 34°10'00" N., on the W by longitude 103°55'00" W., on the N by latitude 34°39'00" N., and on the E by the arc of the Cannon AFB 30-mile radius circle. The portion of this control area extension within R-5104 and R-5105 shall be used only after obtaining prior approval from appropriate authority.

Implementation of the provisions of Amendment 60-21 to the Civil Air Regulations, Part 60, will be deferred in this area pending an evaluation of the controlled airspace requirements in the vicinity of Cannon AFB. Upon completion of this evaluation, separate airspace action will be initiated to redesignate the Clovis control area extension as a transition area with appropriate floor assignments.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 23, 1962.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-908; Filed, Jan. 26, 1962; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14229 etc.; FCC 62-94]

[47 CFR Part 3]

FOSTERING EXPANDED USE OF UHF TELEVISION CHANNELS; AND DEINTERMIXTURE OF CERTAIN CITIES

Memorandum Opinion and Order

In the matter of fostering expanded use of UHF television channels, Docket No. 14229; in the matters of deintermixture of Madison, Wis.; Rockford, Ill.; Hartford, Conn.; Erie, Pa.; Binghamton, N.Y.; Champaign, Ill.; Columbia, S.C.; Montgomery, Ala., Docket Nos. 14239, 14240, 14241, 14242, 14243, 14244, 14245, 14246.

1. The Association of Maximum Service Telecasters (AMST) has filed a "Petition for Additional Required Information" in which it requested further information on the considerations which led to the issuance of the notices of proposed rule making in the above dockets which are concerned with fostering expanded use of the UHF television channels as well as proposals to deintermix certain specified markets. AMST contends that "it is essential that the Commission receive the most meaningful, helpful, thorough and sharply focused comments that can be prepared" and that "the preparation of such comments urgently requires that the Commission supplement in notices of proposed rule making in these proceedings by supplying interested parties with the necessary additional information specified in section II of this petition." [1]

2. The subject notices of proposed rule making were a further step in the progression which looks to developing, under the circumstances, the most advantageous solutions to pressing television allocation problems. Over the years, our inquiries, in which AMST extensively participated, have explored such diverse possibilities as expansion of the VHF space allocated for TV broadcasting, reductions in our present minimum station separations so as to squeeze in more assignments on each VHF channel, a shift of all television broadcasting to the UHF band, selective and area deintermixture, and others. Our study of these choices has compelled us to conclude that to have a truly nationwide television broadcasting system with a reasonable number of local outlets and a choice of national network programs, we must develop the potential of the 70 UHF channels.

3. To achieve this end a multi-pronged assault was suggested which includes deintermixture of certain markets in order to equalize competition between stations in those areas and a modification of some technical requirements to reduce the installation and operating costs of UHF stations. The proposals advanced by the Commission outline the approach which we believe may be used to create a favorable climate in which UHF broadcasting may develop and flourish. We have invited specific and detailed comments on the desirability and practicability of implementing the general proposals contained in the notice of proposed rule making in Docket 14229 and believe that meaningful comments can be addressed to these proposals without much of the further data requested by AMST.

4. With respect to the UHF "pool" proposal, AMST requests that we supply channel numbers for the "pool" of channels to be held in reserve to meet the potential needs of educational TV stations and the possible requirements of VHF stations. The specific channels which might ultimately be included in such a "pool" are, as discussed below, not significant at this stage of the proceeding when we are considering the broad outlines of a television allocations structure. The point to be resolved is whether "pool" requirements can be met in the 70 UHF channels and the degree to which they might saturate the UHF band. The table issued with the notice of rule making listed the number of channels that would be required in the "pool" and the places where they are needed on the basis of the current VHF and UHF station structure and the present educational reservations. We also indicated that the specific channels assigned to each city would be supplied subsequently. We have been examining many different allocation arrangements but are not prepared to announce a specific proposal at this time. There are, of course, many approaches to constructing an allocation table and in our notice we referred to a grouping system which appeared to have promise. AMST has asked for details on this plan and we are therefore attaching an Appendix as an example of one group method of assigning channels.

5. Our proposal to abandon the fixed city-by-city allocation table and permit applicants to select the lowest available UHF channel was intended to provide an incentive for the early development of UHF television broadcasting. From the standpoint of providing a television broadcasting service, we are not convinced that the upper UHF channels are significantly inferior technically to the lower UHF channels. We do recognize, however, that technology is more advanced on the low UHF channels than on the high and that in the present state of the art some advantage accrues to a licensee in having a low UHF assignment. In the development of radio technology, history demonstrates that the performance of transmitters, receivers, and antenna systems is at the outset likely to be better on low channels. This disparity will, hopefully, diminish. There is inherent danger in letting an assignment plan develop from actual applications in pursuit of the low channels because applicants may select lowest assignments without proper regard to impact on overall efficiency. Criteria will be needed to guide the selection toward the lowest, reasonably efficient assignment. A city-by-city assignment plan would accomplish this, but runs the risk of miscalculation as to exactly where future demands for channels are likely to arise. The proceedings contemplate the possible development of standards in this area and comments may be fruitfully addressed to these matters.

6. With respect to the deintermixture proposals in Dockets 14239 to 14246, much of the information requested is available in the public records of the Commission and need not be detailed here. In selecting markets for deintermixture, careful consideration was given to the impact of such a change on the general public. In all of the markets selected there are operating UHF stations. American Research Bureau audience surveys indicate substantial UHF reception potential and there is no probative evidence to the contrary. In determining service losses if existing VHF stations were required to shift to UHF channels, we were guided by the field strength charts in our present rules. These are not intended to be used to estimate the service area of an individual station, but they do provide a convenient administrative tool for comparing station coverage on a statistical probability basis. The theoretical service area of the existing VHF station was considered to extend to its Grade B contour selected from the appropriate F (50, 50) field strength chart in our present rules on the basis of the actual effective radiated power and antenna height used. The estimate of the probable UHF service area is more difficult to make. The only "official" field strength charts available are those contained in our present rules, which are the same curves as are used to estimate the Channel 2–6 coverage. There is almost unanimous agreement that these curves are too optimistic. The T.A.S.O. group developed a set of "critical distances" which purported to give the practical service range of UHF television stations derived empirically from field observations of picture quality. In 1956 the Commission issued a set of UHF field strength charts, commonly referred to as "Appendix A". There was no general agreement as to the acceptability of these curves and they were withdrawn. However, field strength measurement data obtained by T.A.S.O. closely approximated the Appendix A curves. In the absence of generally accepted curves, we used the Appendix A curves as a starting point and assumed that the UHF station would employ an effective radiated power of 500 kilowatts from an antenna about 750 feet above average terrain. Such a station was assumed to provide acceptable service for 50 percent of the locations 90 percent of the time out to a distance of approximately 40 miles, which is the highest "critical distance" from T.A.S.O., substantially below the

[1] The Commission also has before it the similar petitions of Gibralter Enterprises, Inc. licensee of WICU-TV, Erie, Pa., and Midwest Television, Inc., licensee of WCIA, Champaign, Ill.

estimate derived from the F (50, 50) curves of our present rules and slightly below the distance to the Grade B contour shown by the Appendix A curves. The power and antenna height assumptions may be conservative in the case of an existing VHF station required to shift to the UHF band.

7. Our examination of the areas between the computed Grade B contour of an assumed UHF station and the Grade B contour of the existing VHF station showed (based upon ARB audience survey viewing habits) that most of the affected areas were reached by signals from other stations. The statistical curves used for estimating the coverage of VHF and UHF stations are intended to show only that within the Grade B contour a signal of sufficient strength to provide an acceptable picture on an average TV receiver employing a conventional roof-top antenna is likely to be available at 50 percent of all of the locations within the contour. It is impossible to determine whether a single community or similar small area inside or outside the Grade B contour will or will not obtain service. It is not unusual to find that a favorably situated community outside the estimated Grade B contour will obtain better service than one of similar size but less favorably situated inside the estimated Grade B contour. In no case does the service suddenly terminate at the Grade B contour. The field strength curves only signify that beyond the Grade B contour it is likely that something less than 50 percent of the locations will receive an adequate signal.

8. Our proposal for deintermixture of certain specified markets, along with the other proposals to modify our rules and procedures for UHF stations are aimed at creating more television service. The markets chosen are comparable in size and economy to other markets having three or more competitive TV stations. It is reasonable to assume that these markets can support three or more equally competitive TV stations. We have proposed to examine deintermixture along with the other proposals as a means of stimulating such development.

9. We have attempted to the best of our ability, in the light of the circumstance that these are early stages of complex explorations, to satisfy the requests for more information. Because some of the requests are addressed to matters not now specifically proposed, as in Item 9, are fruitlessly contentious, such as Item 10, or seek information, as in Item 11, which is readily available in our public files, we have not here dealt with these. One of the principal reasons for not specifying in our notice the kind of data requested was for the very purpose of inviting unrestricted comment. We have herein supplied some of the requested material but we do not desire that responses to our notice be inhibited by any figures the Commission may have used in its preliminary studies.

10. To the extent that the data requested is supplied by this document or is available in the public records of the Commission the subject requests are granted, in all other respects they are denied.

Adopted: January 17, 1962.

Released: January 19, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

APPENDIX

The maximum efficiency in the use of the 70 UHF channels can be achieved only by maintaining the average separation of all assignments on any given channel as close as possible to the prescribed minimum cochannel separation. The random distribution of cities as well as the impact of the "taboo channels" makes this difficult.

A pre-planned assignment table is one way of meeting this specific problem. However, this necessitates anticipation of the number and location of the channels. The alternate approach, which we are exploring in this proceeding, is to allow the assignment structure to develop as demand arises. This later approach can lead to devastating inefficiencies unless some guidance can be provided.

As set forth in the original notice of proposed rule making, we are studying the possibility of grouping UHF channels in a manner that will automatically lead to the selection of the most efficient channel for any given city. Under our present rules every sixth channel may be assigned to any single city if it otherwise meets the cochannel and "taboo channel" spacings. If the maximum number of 12 channels is assigned to any single city, there are only 4 other channels which may be assigned to other communities between 20 and 55 miles from this city. It is possible to reduce the total number of assignments available to a single city from 12 to 10 and rearrange these assignments into a certain pattern to increase the available number of channels between 20 and 55 miles from 4 to at least 15. One such grouping arrangement is shown below:

Group A: 16, 22, 32, 38, 44, 50, 60, 66, 72, 78.
Group B: 14, 20, 26, 28, 34, 40, 42, 48, 54, 56, 62, 68, 74, 76, 82.

The efficacy of a plan to make assignments in particular areas from specific groups of channels will probably require the establishment of a somewhat flexible grid by designating certain key cities or areas in which particular groups may be used.

[F.R. Doc. 62-947; Filed, Jan. 26, 1962; 8:50 a.m.]

[47 CFR Part 3]

[Docket No. 14229 etc.; FCC 62-96]

FOSTERING EXPANDED USE OF UHF TELEVISION CHANNELS; DEINTERMIXTURE OF CERTAIN CITIES; ASSIGNMENT OF ADDITIONAL VHF CHANNELS

Order Extending Time for Filing Comments and Reply Comments

In the matter of fostering expanded use of UHF television channels, Docket No. 14229; in the matters of deintermixture of Madison, Wis.; Rockford, Ill.; Hartford, Conn.; Erie, Pa.; Binghamton, N.Y.; Champaign, Ill.; Columbia, S.C.; Montgomery, Ala., Docket Nos. 14239, 14240, 14241, 14242, 14243, 14244, 14245, 14246; in the matters of assignment of an additional VHF channel to Oklahoma City, Okla.; Johnstown, Pa.; Baton Rouge, La.; Dayton, Ohio; Jacksonville, Fla.; Birmingham, Ala.; Knoxville, Tenn.; Charlotte, N.C., Docket Nos. 14231, 14232, 14233, 14234, 14235, 14236, 14237, 14238.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 19th day of January 1962.

In a Memorandum Opinion and Order adopted January 17, 1962, the Commission in response to a petition from the Association of Maximum Service Telecasters supplied additional information in connection with the notices of proposed rule making in the above dockets which are concerned with the fostering of expanded use of the UHF television channels, proposals to deintermix certain specified markets, and the assignment of additional VHF channels to other markets. The furnishing of additional information may, in some cases, necessitate more time for parties to prepare comments in these proceedings. A number of informal requests have already been received requesting extension of time.

For this and other circumstances which have been urged as a basis for deferring the dates, the Commission is of the opinion that a reasonable extension of time should be allowed.

Accordingly, it is ordered, That the time for filing comments and reply comments in these proceedings is extended to February 19, 1962, and March 23, 1962.

Released: January 23, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-948; Filed, Jan. 26, 1962; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

PROPOSED CITIZENS NATIONAL BANK OF HOLDENVILLE, OKLA.

Notice of Hearing

A hearing will be held at the request of the organizers of the proposed Citizens National Bank of Holdenville, Holdenville, Oklahoma, relative to the application to organize a new national banking association in Holdenville, Oklahoma.

The hearing will be held on February 16, 1962, at 9:30 a.m., in Room 4119, Main Treasury Building, Washington, D.C.

All persons desiring to testify should notify the Comptroller of the Currency by February 12, 1962.

Dated: January 23, 1962.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 62-929; Filed, Jan. 26, 1962; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

IDENTIFICATION OF CARCASSES OF CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

Supplemental List of Humane Slaughterers

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904) and the statement of policy thereunder in 9 CFR Part 181.1, the following table lists additional establishments operated under Federal inspection under the Meat Inspection Act (21 U.S.C. 71 et seq.) which have been officially reported as humanely slaughtering and handling the species of livestock respectively designated for such establishments in the table. This list supplements the lists previously published under the Act (27 F.R. 18 and 592) for December and represents those establishments and species which were reported too late to be included in the earlier lists or which have come into compliance with respect to species indicated since the completion of the reports on which the earlier lists were based. The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods:

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Armour and Co	2AD	(*)	(*)				
Do	2C	(*)		(*)		(*)	
Do	2F	(*)	(*)	(*)	(*)		
Swift and Co	3B	(*)	(*)	(*)		(*)	
Do	3CC	(*)		(*)			
Do	3F	(*)	(*)	(*)	(*)	(*)	
Do	3S					(*)	
Do	3Z	(*)	(*)				
Hygrade Food Products Corp	12C	(*)	(*)			(*)	
Mickelberrys Food Products Co	16					(*)	
John Morrell and Co	17	(*)				(*)	
Do	17A	(*)				(*)	
Glover Packing Co	60A	(*)	(*)	(*)	(*)	(*)	
Swift and Co	104	(*)	(*)	(*)		(*)	
Peyton Packing Co., Inc	126	(*)	(*)	(*)	(*)	(*)	
Joel E. Harrell and Son, Inc	162	(*)				(*)	
Swift and Co	166A	(*)	(*)	(*)	(*)	(*)	
The Rath Packing Co	186C	(*)	(*)				
Seattle Packing Co	191	(*)	(*)	(*)		(*)	
Krey Packing Co	192	(*)	(*)	(*)	(*)	(*)	
Hynes Packing Co	197	(*)	(*)				
Geo. A. Hormel and Co	199I					(*)	
Cudahy Packing Co	202	(*)				(*)	
Fred Dold and Sons Packing Co	214	(*)					
Gwaltney, Inc	221A					(*)	
Armour and Co	222	(*)				(*)	
Hygrade Food Products Corp	224	(*)				(*)	
P.D. and J. Meats	240	(*)	(*)				
Greenwood Packing Plant	242	(*)	(*)	(*)		(*)	
John Morrell and Co	246	(*)				(*)	
Swift and Co	249	(*)				(*)	
Balentine Packing Co., Inc	258	(*)	(*)			(*)	
Western Packing Co	288	(*)					
Commercial Packing Co., Inc	302	(*)					
Union Packing Co	305A	(*)					
Star Packing Co	306	(*)					
Frisco Packing Co	327	(*)					
Royal Packing Co	331	(*)					
Great Western Packing Co., Inc	334	(*)					
Nobles Independent Meat Co	335	(*)	(*)				
Des Moines Packing Co	340	(*)					
Samuels E. Tex Packing Co	353	(*)					
Fresno Meat Packing Co	354	(*)	(*)				
Heil Packing Co	357					(*)	
Smithfield Packing Co., Inc	382					(*)	
Roth Packing Co	394	(*)					
Neuhoff Bros	406	(*)	(*)			(*)	
The Lundy Packing Co	413					(*)	
E. W. Kneip Inc. of Iowa	422	(*)					
East Tennessee Packing Co	487	(*)	(*)			(*)	
Goldring Packing Co., Inc	490	(*)		(*)			
Gruensfelder Packing Co	508	(*)	(*)	(*)			
Rosenthal Packing Co., Inc	535	(*)	(*)	(*)	(*)		
Pride Packing Co., Inc	549	(*)	(*)				
Salter Packing Co	551	(*)					
Emery Land Co	561	(*)					
Texas Meat Packers, Inc	565	(*)	(*)				
Harman Packing Co	596	(*)					
Acme Meat Co., Inc	618	(*)					
General Meat Co	632	(*)					
Ebner Bros. Packers	633	(*)	(*)			(*)	
Zipron Bro. Inc	635	(*)					
Spencer Packing Co	648	(*)					
Wm. Schluderberg-T. J. Kurdle Co	649	(*)	(*)	(*)		(*)	
Quality Meat Packing Co	661	(*)	(*)				
Globe Packing Co	663	(*)					
Union Packing Co	673	(*)					
Nations Brothers Packing Co	684	(*)	(*)			(*)	
Pierce Packing Co., Inc	691	(*)				(*)	
Wilmington Packing Co., Inc	720					(*)	
Ruchti Bros	749	(*)	(*)				
Schaake Packing Co., Inc	761	(*)					
Karler Packing Co	767	(*)	(*)				
Sheridan Meat Co., Inc	768	(*)	(*)	(*)		(*)	
Cadwell Martin Meat Co	773	(*)					
Atlas Packing Co	775	(*)					
Diamond Meat Co., Inc	783	(*)	(*)				
Hibbs Packing Co	825	(*)	(*)				
Reelfoot Packing Co	840	(*)	(*)			(*)	
Sam McDaniel and Sons, Inc	859	(*)					
Sierra Meat Co	862	(*)					
Samuels & Co., Inc	878	(*)	(*)	(*)			
O'Neill Packing Co	889	(*)					
Vernon Calhoun Packing Co	897	(*)	(*)				
E. B. Manning and Son	934	(*)					
Volz Packing Co	938	(*)					
Greater Omaha Packing Co., Inc	960	(*)					
Virginia Packing Co., Inc	963	(*)	(*)	(*)			
T. L. Lay Packing Co	967	(*)				(*)	
Perlin Packing Co., Inc	974	(*)	(*)	(*)	(*)		
Armour and Co	1035	(*)	(*)				
Samuels and Co., Inc	1313	(*)					
H. and H. Packing Co	1315	(*)				(*)	

Done at Washington, D.C., this 22d day of January 1962.

C. H. PALS,
Director, Meat Inspection Division, Agricultural Research Service.

[F.R. Doc. 62-900; Filed, Jan. 26, 1962; 8:45 a.m.]

Agricultural Stabilization and Conservation Service and Commodity Credit Corporation

GRAINS AND RELATED COMMODITIES

Notice of Final Date for Redemption Under Warehouse-Storage Loans Made Under 1961 Price Support Programs

Unless earlier demand is made by CCC, warehouse-storage loans under 1961 Price Support Programs on the agricultural commodities designated in the table below mature and are due and payable on the dates indicated. Unless on or before the final date for repayment specified below such loans are repaid or the producer notifies the ASC county committee in writing that the funds have been placed in the mail, title to the unredeemed collateral shall immediately vest in CCC without a sale thereof, on the date next succeeding the final date for repayment specified below. This notice applies to all such unredeemed collateral pleged to CCC under warehouse-storage loans, including, in the case of corn or grain sorghums, that quantity which has resulted in a producer receiving price support on a quantity of corn or grain sorghums in excess of the total quantity on which price support may be received under the applicable provisions of 1961 C.C.C. Feed Grain Bulletin A or which would so result if settlement were to be made on the basis of the price support value of the pledged commodity. (Such quantity is hereinafter called "excess commodity.") CCC shall have no obligation to pay for any market value which the unredeemed collateral may have in excess of the loan indebtedness; i.e., the unpaid amount of the note plus interest and charges. Nothing herein shall preclude making payment to a producer of any amount by which the settlement value of the pledged commodity may exceed the principal amount of the loan. Except as to the excess commodity, the settlement value as used herein is the price support value of the pledged commodity determined on the basis of the weight, grade, and other quality factors shown on the warehouse receipts or accompanying documents in accordance with the applicable support rate provided in the Program Bulletin. The settlement value of the excess commodity is the market value as determined by CCC, or the price support value, whichever is the lower. Notwithstanding the foregoing provisions, if the producer has made a fraudulent representation in obtaining the loan, or in settlement or deliveries under the loan, the producer shall remain personally liable for the amounts specified in the Producer's Note and Loan Agreement and in the price support program regulations.

Amounts due the producer will be paid to the producer by the appropriate ASCS county office.

Commodity	Maturity date	Final date for repayment
Barley in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia	Feb. 28, 1962	Feb. 28, 1962
Arizona and California	Mar. 10, 1962	Mar. 12, 1962
In all other States	Apr. 30, 1962	Apr. 30, 1962
Corn—In all States	July 31, 1962	July 31, 1962
Dry Edible Beans—In all States	Apr. 30, 1962	Apr. 30, 1962
Flaxseed in Arizona and California	Jan. 31, 1962	Jan. 31, 1962
In all other States	Mar. 31, 1962	Apr. 2, 1962
Grain Sorghums—In all States	do	Do.
Oats in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia	Feb. 28, 1962	Feb. 28, 1962
In all other States	Apr. 30, 1962	Apr. 30, 1962
Rice—In all States	Apr. 15, 1962	Apr. 16, 1962
Rye in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia	Feb. 28, 1962	Feb. 28, 1962
In all other States	Apr. 30, 1962	Apr. 30, 1962
Soybeans—In all States	May 31, 1962	May 31, 1962
Wheat in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia	Feb. 28, 1962	Feb. 28, 1962
In all other States	Mar. 31, 1962	Apr. 2, 1962

(Sec. 4, 62 Stat. 1070, as amended; sec. 5, 62 Stat. 1072, secs, 101, 105, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 24, 1962.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-941; Filed, Jan. 26, 1962; 8:50 a.m.]

Commodity Credit Corporation

CERTAIN COMMODITY CREDIT CORPORATION ACTIVITIES

Delegation of Authority

General. In order to provide for the execution of certain documents in connection with Commodity Credit Corporation transactions at Agricultural Stabilization and Conservation Service Commodity Offices and the Agricultural Stabilization and Conservation Service Data Processing Center, delegations of authority are provided below, pursuant to authority vested in me by the bylaws of Commodity Credit Corporation.

The authorities herein delegated shall be exercised in conformity with the bylaws, regulations, and programs of Commodity Credit Corporation, and the policies adopted by the Board of Directors of the Corporation.

Delegation—1. *Sight drafts.* The Directors or Acting Directors of the Agricultural Stabilization and Conservation Service Commodity Offices at Cincinnati, Ohio, Dallas, Tex., Evanston, Ill., Kansas City, Mo., Minneapolis, Minn., New Orleans, La., and Portland, Oreg., may sign Commodity Credit Corporation sight drafts issued in disbursement of capital funds of Commodity Credit Corporation. This authority may not be redelegated.

2. *Certificates of interest.* (a) The Director or Acting Director of the Agricultural Stabilization and Conservation Service Commodity Office at New Orleans, La., may sign Commodity Credit Corporation certificates of interest issued to commercial banks participating in the financing of pools of price support commodity loans. This authority may not be redelegated.

(b) The Directors or Acting Directors of the Agricultural Stabilization and Conservation Service Commodity Offices at Dallas, Tex., and Evanston, Ill., the Director or Acting Director of the Agricultural Stabilization and Conservation Service Data Processing Center at Kansas City, Mo., and other employees of such offices, to whom the authority is redelegated in writing by the Director or Acting Director of the respective office, may sign or countersign Commodity Credit Corporation certificates of interest issued to financial institutions participating in the financing of pools of price support commodity loans.

3. *Export payment certificates.* The Directors or Acting Directors of the Agricultural Stabilization and Conservation Service Commodity Offices at Cincinnati, Ohio, Dallas, Tex., Evanston, Ill., Kansas City, Mo., Minneapolis, Minn., New Orleans, La., and Portland, Oreg., and other employees of such offices, to whom the authority is redelegated in writing by the Director or Acting Director of the respective office, may sign Commodity Credit Corporation export payment certificates issued pursuant to any Commodity Credit Corporation regulation or contract providing for issuance of such certificates.

4. *Feed grain certificates.* The Directors or Acting Directors of the Agricultural Stabilization and Conservation Service Commodity Offices at Dallas, Tex., Evanston, Ill., Kansas City, Mo., Minneapolis, Minn., and Portland, Oreg., and other employees of such offices, to whom the authority is redelegated in writing by the Director or Acting Director of the respective office, may sign or countersign Commodity Credit Corporation feed grain certificates issued pursuant to any Commodity Credit Corporation regulation providing for issuance of such certificates.

Redelegations. Redelegations made by Directors or Acting Directors to employees in their respective offices shall

remain in full force and effect until revoked by the Director or Acting Director or until the delegate is separated from his position in the office.

Revocation of delegations of authority. Delegations of authority, issued July 2, 1958 (23 F.R. 5216), as amended on August 4, 1959 (24 F.R. 6357), and delegation of authority issued August 24, 1961 (26 F.R. 8119), with respect to signing of Commodity Credit Corporation sight drafts and certificates, are hereby revoked. Redelegations of authority which were issued by the Director or Acting Director of the Agricultural Stabilization and Conservation Service Commodity Office at Kansas City, Mo., pursuant to such delegations in respect to signing or countersigning Commodity Credit Corporation certificates of interest are hereby revoked. All other redelegations of authority which were issued pursuant thereto shall remain in effect until revoked in writing by the Director or Acting Director of the respective office or until the delegate is separated from his position in the office.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b)

Date of signature: January 23, 1962.

Effective date of authority: Date of publication.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-939; Filed, Jan. 26, 1962; 8:49 a.m.]

Office of the Secretary

BENNETT COUNTY, SOUTH DAKOTA

Designation of Counties Within the Great Plains Area of the Ten Great Plains States Where the Great Plains Conservation Program is Specifically Applicable

For the purpose of making contracts based upon the approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115-1117), the following county in the following State is designated as susceptible to serious wind erosion by reason of its soil types, terrain, and climatic and other factors.

SOUTH DAKOTA

Bennett.

Done at Washington, D.C., this 23d day of January 1962.

FRANK J. WELCH,
Assistant Secretary.

[F.R. Doc. 62-925; Filed, Jan. 26; 1962; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

USE OF PUBLIC DOMAIN

Notice of Grazing Fees

JANUARY 24, 1962.

Notice is hereby given that in accordance with Departmental regulations (43 CFR 161.8), the grazing fee to be charged for the use of public domain will continue at 19 cents per animal unit month of forage until June 30, 1962. In computing the charge to be made, the following rates shall apply:

	Cents
1. One cow grazing for one month	19
2. One horse grazing for one month	38
3. One sheep or goat grazing for one month	03.8

No fees will be charged for livestock under six months of age.

This fee is based upon the livestock marketing data furnished by the Agricultural Marketing Service, United States Department of Agriculture, and applies to all grazing use on public domain lands authorized pursuant to section 3 of the Taylor Grazing Act. Twenty-five percent of the total fee collected shall be credited to the range improvement fund.

All billings to June 30, 1962, shall be issued in accordance with the rates prescribed in this notice.

Any subsequent change in the rate for the year 1962 will be published in the FEDERAL REGISTER.

KARL S. LANDSTROM,
Director.

[F.R. Doc. 62-926; Filed, Jan. 26, 1962; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ENRICHED CORN GRITS DEVIATING FROM IDENTITY STANDARD

Notice of Issuance of Temporary Permit to Cover Market Testing

Pursuant to § 3.12(j) of Title 21 of the Code of Federal Regulations, concerning temporary permits to facilitate market testing of foods varying from the requirements of standards of identity promulgated pursuant to section 401 of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to the Quaker Oats Company, Merchandise Mart Plaza, Chicago, Ill., to cover interstate marketing tests of enriched corn grits that may fail to meet the rinse-resistance requirements of the definition and standard of identity (21 CFR 15.514(a)(3)). This permit expires August 1, 1962.

Dated: January 22, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-916; Filed, Jan. 26, 1962; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[Agency Order 29]

AGENCY HEARING OFFICERS

Establishment, Functions, and Delegations of Authority

1. *Purpose.* This order establishes Hearing Officers in the Office of the Administrator, prescribes the functions of the Hearing Officers, and delegates to the Hearing Officers certain authority of the Administrator.

2. *Establishment.* There are hereby established in the Office of the Administrator, a Chief Hearing Officer and Hearing Officers. Hearing Officers shall, until the designation of the Chief Hearing Officer, report for administrative purposes to the Administrator through the Executive Director of the Agency Regulatory Council.

3. *Functions.* a. Upon request by holders of certificates which the Administrator purposes to amend, modify, suspend, or revoke under section 609 of the Federal Aviation Act, Hearing Officers shall, except in emergency cases, provide a hearing and shall render a decision upon the record thereof.

b. Hearing Officers shall conduct such other public and intra-Agency hearings as the Administrator may direct, and upon the record thereof, shall if so directed, recommend a decision to the Administrator or his delegee, or as authorized, shall make a decision on behalf of the Administrator.

c. The Chief Hearing Officer shall report to the Administrator and shall assign cases, provide administrative direction to, formulate procedures to be followed by, and convey the Administrator's policies to the other Hearing Officers. He shall additionally serve as a Hearing Officer.

4. *Delegation of authority.* In the performance of their functions under this order, the Hearing Officers are hereby delegated:

a. The authority vested in the Administrator by sections 313(c) and 1004 of the Federal Aviation Act of 1958, to administer oaths, take evidence, issue subpoenas, take depositions, and compel testimony.

b. The authority vested in the Administrator by section 609 of the Federal Aviation Act of 1958, to issue an order amending, modifying, suspending, or revoking, in whole or in part, any certificate issued by the Administrator.

In the exercise of this authority, the Hearing Officers shall be subject to policies and procedures established or approved by the Administrator.

5. *Administrative support.* a. Personnel services, payrolling, travel expenses, and the procurement of reporting services for Hearing Officers shall be provided by the Deputy Administrator for Administration.

b. Suitable office space and office services, and motor vehicles as necessary, shall be provided by the Assistant Administrators of the respective regions where the Hearing Officers are officially headquartered.

c. Over-all program, budget, and fiscal planning involved in the Hearing Officer program shall be coordinated by the Chief Hearing Officer.

6. *Effective date.* This order is effective this date.

N. E. HALABY,
Administrator.

JANUARY 17, 1962.

[F.R. Doc. 62-903; Filed, Jan. 26, 1962; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14076 etc.; FCC 62M-110]

KENT-RAVENNA BROADCASTING CO. ET AL.

Order Continuing Hearing Conference

In re applications of Kent-Ravenna Broadcasting Co., Kent, Ohio, Docket No. 14076, File No. BP-13749; et al., Group I: Docket Nos. 14079-14084, 14087, 14088; for construction permits.

The Hearing Examiner having under consideration petition filed on January 19, 1962, by Kent-Ravenna Broadcasting Co., requesting postponement of exchange of preliminary engineering exhibits and informal engineering conference;

It appearing that counsel for all parties directly affected by this petition have consented to the extension requested;

It is ordered, This 22d day of January 1962, that the petition is granted; and the dates designated for various procedural steps herein are postponed as follows:

Date of exchange of preliminary engineering exhibits, from Jan. 23, 1962, to Jan. 30, 1962.

Date of informal engineering conference, from Feb. 7, 1962, to Feb. 14, 1962.

Released: January 23, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-944; Filed, Jan. 26, 1962; 8:50 a.m.]

[Docket No. 14496]

GEORGE A. MORRIS

Order To Show Cause

In the matter of George A. Morris, San Diego, Calif., Docket No. 14496; order to show cause why there should not be revoked the license for radio station WE-6531 aboard the vessel "G.G.I." in the ship radio service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of alleged violations of Title 18, U.S. Code section 1464, in connection with the operation of the captioned station;

It appearing that, on or about August 8, 9, and 10, 1961, the licensee uttered obscene, indecent or profane language by means of the subject radio station, in violation of Title 18, U.S. Code 1464;

It is ordered, This 17th day of January 1962, pursuant to section 312 (a) (6) and (c) of the Communications Act of 1934, as amended, and section 0.291(b) (8) of the Commission's Statement of Delegations of Authority, that the licensee show cause why the license for the captioned radio station should not be revoked and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Acting Secretary send a copy of this Order by Certified Mail (Air Mail)—Return Receipt Requested to the licensee at 4664 North Avenue, San Diego 16, Calif.

Released: January 23, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-945; Filed, Jan. 26, 1962; 8:50 a.m.]

[Docket Nos. 14493, 14494; FCC 62M-107]

HAYWARD F. SPINKS AND GREENVILLE BROADCASTING CO.

Order Scheduling Hearing

In re applications of Hayward F. Spinks, Hartford, Ky., Docket No. 14493, File No. BP-14291; C. P. Stovall, Sr., and C. P. Stovall, Jr., d/b as Greenville Broadcasting Company, Greenville, Ky., Docket No. 14494, File No. BP-15005; for construction permits.

It is ordered, This 22d day of January 1962, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 21, 1962, in Washington, D.C.: *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, February 23, 1962.

Released: January 23, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-946; Filed, Jan. 26, 1962; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

DE LA RAMA STEAMSHIP CO., INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 7739-3, between De La Rama Steamship Co., Inc., Swedish East Asia Co., Inc., Ocean Steamship Co., Ltd., and China Mutual Steam Navigation Co., Ltd. (carriers comprising the De La Rama Lines joint service), modifies approved Agreement 7739, as amended, of the parties, which covers a joint passenger and cargo service and pooling arrangement in the trade between U.S. Atlantic, Gulf and Pacific Coast ports, and ports of Japan, Pacific Coast of U.S.S.R., China, Korea, Taiwan, Hong Kong, Indo-China, and Philippine Islands. The purpose of the modification is to change the provisions of the agreement with respect to pooling.

Agreement 8529-A, between Ocean Steamship Co., Ltd., The China Mutual Steam Navigation Co., Inc. (as one party only), and The Swedish East Asia Co., Ltd., is a supplementary agreement to approved joint service Agreement 8529, between the same parties in the trade from U.S. Atlantic and Gulf ports, East Canadian ports, and U.S. and Canada Great Lakes ports, on the one hand, and ports in the Federation of Malaya, Singapore, Thailand, and Indonesia, on the other hand, not including any foreign flag operations between U.S. ports. Agreement 8529-A covers a pooling arrangement of the parties within their present joint service operations under Agreement 8529.

Interested parties may inspect these agreements and obtain copies thereof at the Bureau of Foreign Regulations, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: January 24, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-935; Filed, Jan. 26, 1962; 8:49 a.m.]

[Docket No. 969].

ALASKA STEAMSHIP CO.

General Increase in Rates in the Peninsula and Bering Sea Areas of Alaska; Notice of Investigation and of Hearing

On January 15, 1962, the Federal Maritime Commission entered the following order:

It appearing that there have been filed with the Federal Maritime Commission various tariff schedules naming increases in freight rates from, to, and between U.S. Pacific coast ports and ports in Alaska, to become effective January 18, 1962, designated as follows:

Supplement No. 15, Alaska Steamship Company Tariff No. 793, FMC-F No. 89;
Supplement No. 11, Alaska Steamship Company Tariff No. 794, FMC-F No. 90;
Supplement No. 8, Alaska Steamship Company Tariff No. 797, FMC-F No. 93;
Supplement No. 9, Alaska Steamship Company Tariff No. 798, FMC-F No. 94;
Supplement No. 7, Alaska Steamship Company Tariff No. 805, FMC-F No. 98; and
Alaska Steamship Company Tariff No. 825, FMC-F No. 109; and

It further appearing that protests have been received petitioning the Commission to suspend said increases; and

It further appearing that upon consideration of the said schedules, statements in support thereof, and protests made thereto, there is reason to believe that the said schedules, if permitted to become effective, would result in rates,

charges, classifications, regulations, tariffs or practices which would be unjust, unreasonable or otherwise unlawful in violation of the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended; and

It further appearing that the Commission is of the opinion that the new rates, charges, classifications, regulations, tariffs, and practices should be made the subject of a public investigation and hearing to determine whether they are just, reasonable, and otherwise lawful under the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended; and

It further appearing that the Commission is of the opinion that the effective date of the said schedules should be suspended, pending such investigation;

Now therefore it is ordered, That an investigation be, and it is hereby instituted into and concerning the lawfulness of the rates, fares, charges, rules, classifications, regulations, and practices contained in the said tariff schedules, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant; and

It is further ordered, That said schedules be, and they are hereby, suspended and that the use of the said schedules be, and it is hereby, deferred to and including May 17, 1962, unless otherwise authorized by the Commission, and that the rates, fares, charges, classifications, rules, regulations, and practices heretofore in effect, and which were to be changed by the suspended schedules, shall remain in effect during the period of suspension; and

It is further ordered, That no change shall be made in the matter hereby suspended nor the matter which is continued in effect as a result of such suspension until the period of suspension or any extension thereof has expired, or until this investigation and suspension proceeding has been disposed of, whichever first occurs unless otherwise authorized by the Commission; and

It is further ordered, That (I) there shall be filed immediately with the Commission by the Alaska Steamship Company consecutively numbered supplements to the aforesaid suspended schedules which supplements shall bear no effective date, shall reproduce the portion of this order wherein the suspended schedules are described, and shall state that the aforesaid schedules are suspended and that the rates, charges, classifications, regulations, tariffs, and practices therein stated may not be used until the 18th day of May 1962, unless otherwise authorized by the Commission; and (II) the rates, charges, classifications, regulations, tariffs, and practices hereby deferred may not be changed during the period of suspension or any extension thereof has expired, or until this investigation and suspension proceeding has been disposed of, whichever first occurs, unless otherwise authorized by the Commission; and

It is further ordered, That copies of this order shall be filed with the said tariff schedules in the Bureau of Domestic Regulations of the Federal Maritime Commission; and

It is further ordered, That (I) the investigation herein ordered be assigned for hearing before an examiner of the Commission's Office of Hearing Examiners at a date and place to be determined and announced by the Chief Examiner; (II) Alaska Steamship Company, be, and it is hereby, made respondent in this proceeding; (III) a copy of this order shall be forthwith served upon the said respondent and protestants herein; (IV) respondents and protestants be duly notified of the time and place of the hearing herein ordered; and (V) this order and notice of the said hearing be published in the FEDERAL REGISTER.

Notice is hereby given that the hearing in this proceeding will be held before an examiner of the Commission's Office of Hearing Examiners at a date and place hereafter to be announced. The hearing will be conducted in accordance with the Commission's rules of practice and procedure, and an initial decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(n) (46 CFR 201.74) of said rules.

Dated: January 24, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-936; Filed, Jan. 26, 1962; 8:49 a.m.]

[Docket No. 954 (Sub-1)]

ATLANTIC-GULF/PUERTO RICO TRADE

Investigation of Rates and Practices; Notice of Amendment to Second Supplemental Order

On January 15, 1962, the Federal Maritime Commission entered the following amendment to the Second Supplemental Order of the original order in this proceeding dated November 13, 1961.

It appearing that by Second Supplemental Order in Docket No. 954 (Sub-1) dated December 21, 1961, the Commission instituted an investigation into the lawfulness of certain recently filed tariff provisions of A. H. Bull Steamship Co., which provisions resulted in a reduced rate on "Buses" stowed on deck for the carrier's convenience, and of similar currently effective provisions published in the tariff of American Union Transport, Inc.; and

It further appearing that certain changes should be made in said supplemental order;

Now therefore it is ordered, That the Commission's Second Supplemental Order in Docket No. 954 (Sub-1) dated December 21, 1961, be, and it is hereby, amended as follows:

The first ordering clause in said supplemental order, which currently reads:

Now therefore it is ordered, That this proceeding be, and it hereby is, expanded to include, in addition to the matters now under investigation, an investigation of and a hearing concerning, the lawfulness under the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended, of Note G and the rate on "Buses, empty, boxed or unboxed", published on seventh revised page No. 81 of A. H. Bull Steamship Co.'s Outward Freight Tariff No. 1, FMB–F No. 1, and of Rule 25 on third revised page No. 11 and the rate on vehicles published on first revised page No. 44 of American Union Transport, Inc.'s, Southbound Freight Tariff No. 6, FMB–F No. 6, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant; and

is hereby deleted and the following paragraph substituted therefor:

Now therefore it is ordered, That this proceeding be, and it hereby is, expanded to include, in addition to the matters now under investigation, an investigation of and a hearing concerning, the lawfulness under the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended, of Note G and the rate on "Buses, empty, boxed or unboxed", published on seventh revised page No. 81 of A. H. Bull Steamship Co.'s Outward Freight Tariff No. 1, FMB–F No. 1, and of Rule 25 on third revised page No. 11 and the rate on "Buses, boxed or unboxed" published on first revised page No. 44 of American Union Transport, Inc.'s Southbound Freight Tariff No. 6, FMB–F No. 6, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant; and

It is further ordered, That said supplemental order, as so modified, remain in full force and effect as issued; and

It is further ordered, That copies of this order shall be filed with the said tariff schedules in the Bureau of Domestic Regulation of the Federal Maritime Commission; and

It is further ordered, That a copy of this order shall be forthwith served upon all respondents, protestants, and interveners herein, and that this order be published in the FEDERAL REGISTER.

Dated: January 24, 1962.

By the Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-937; Filed, Jan. 26, 1962; 8:49 a.m.]

CIVIL SERVICE COMMISSION

CERTAIN PHARMACOLOGY POSITIONS THROUGHOUT THE UNITED STATES

Notice of Increase in Minimum Rates of Pay

Under the provisions of section 803 of the Classification Act of 1949, as amend-

ed (68 Stat. 1106; 5 U.S.C. 1133), pursuant to 5 CFR 25.103, 25.105, the Commission has increased the minimum rate of pay for pharmacology positions in all specializations as indicated below. The increases will be effective on the first day of the second pay period which begins after January 29, 1962, and apply to these positions on a nationwide basis.

New minimum rates for pharmacology positions in all specializations have been set as follows:

GS–7 (step g)	$6,345
GS–9 (step g)	7,425
GS–11 (step f)	8,860
GS–12 (step f)	10,255
GS–13 (step f)	11,935
GS–14 (step f)	13,510
GS–15 (step e)	15,030

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 62–942; Filed, Jan. 26, 1962; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G–18900]

EL PASO NATURAL GAS CO. AND AMERADA PETROLEUM CORP.

Order Granting Motion To Dismiss As to Certain Respondents

JANUARY 22, 1962.

El Paso Natural Gas Co., Complainant-Petitioner v. Amerada Petroleum Corp., et al., Respondents, Docket No. G–18900.

On July 6, 1959, El Paso Natural Gas Company (El Paso) filed herein its complaint and petition for issuance of declaratory order to clarify the rights and liabilities of the parties in this proceeding with respect to spiral escalation and favored-nation provisions in approximately 750 gas-purchase contracts between El Paso and vendors of natural gas subject to the jurisdiction of the Commission.

On January 21, 1960, El Paso filed a motion to dismiss this proceeding with respect to certain of the respondents and to terminate the proceeding against them. El Paso stated in support of said motion, that it had renegotiated gas-purchase contracts with 305 respondents in such manner as to eliminate the contract provisions which constituted the subject matter of its complaint and petition; that in consequence, the relief sought against these respondents had become moot; and that therefore the proceeding should be dismissed and terminated with respect to the aforesaid parties identified in Exhibit "A" of El Paso's motion to dismiss.

On March 14, 1960, the Commission granted the foregoing motion in conjunction with the granting of an additional motion, filed on identical grounds. El Paso styled the latter motion, naming 23 respondents as "First Supplement" to its original motion to dismiss and said order issued herein March 14, 1960, dismissed as to a total of 328 respondents.

Subsequently El Paso filed its Second, Third, Fourth, Fifth, Sixth, and Seventh Supplements to its original motion to dismiss as to named respondents and stated that newly negotiated contracts had rendered the issues of the complaint and petition moot, with respect to the identified respondents. By orders issued herein the Commission granted the above-identified supplementary motions and dismissed as to 139 respondents.

On December 18, 1961, El Paso filed its Eighth Supplementary Motion to dismiss the proceeding against certain of the respondents and appended thereto Exhibit "A" identifying 36 respondents against whom it requests the proceeding be terminated for the same reasons set forth in its original motion filed January 21, 1960, or for reason of improper joinder.

The Commission finds: Under the provisions of the Natural Gas Act and in accordance with the Commission's rules of practice and procedure, good cause exists for granting El Paso's motion to dismiss and terminate this proceeding with respect to those respondents identified in Exhibit "A" to El Paso's "Eighth Supplement" to its motion to dismiss proceeding against certain of the respondents and to terminate the proceeding against them as hereinafter ordered.

The Commission orders: El Paso's motion to dismiss certain of the respondents in this proceeding and to terminate the proceeding against them is hereby granted as to those parties identified in Exhibit "A" to El Paso's "Eighth Supplement" to its above-identified motion, said parties being designated in below.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

1. Bartessa Oil Corp., et al. (successors in interest to Lomax Brothers Production Co.).
2. Welton Becket (successor in interest to Evro Becket).
3. F. G. Blackwood, et al. (successors in interest to John W. Nichols).
4. Jack H. Bryant, Trustee (successor in interest to Hack Drilling Co.).
5. BTA Oil Producers (successor in interest to Carlton Beal & Associates).
6. Champlin Oil & Refining Co.
7. Elliott Production Co. (successor in interest to Edna M. Elliott and Lawrence E. Elliott).
8. Gackle Oil Co. (successor in interest to Clay and Gackle Contracting Co.).
9. I. B. Goodman (successor in interest to Joe H. Goodman, successor in interest to Krupp-Flaherty Oil Corp.).
10. Lamar Hunt, N. B. Hunt, W. H. Hunt (successors in interest to Trinity Production Co.).
11. Kirby Production Co. (1) (successor in interest to Toklan Oil Corp.).
12. Wm. H. Martin, et al.
13. John I. Moore (successor in interest to F. H. McGuigan, Independent Executor of the Estate of P. D. Moore).
(1) Inadvertently listed on Exhibit "A" of the Complaint and Petition, filed on July 6, 1959, as Kirby Oil Co.
14. Grace Majorie Moran Parrish, et al. (successor in interest to E. F. Moran, Inc.).
15. Payne, Ltd.
16. J. W. Peery.
17. Bernard A. Ray (successor in interest to Adams and Ray).
18. A. W. Rutter.
19. Rutter & Co., Ltd.
20. Signal Oil and Gas Co. (successor in interest to Bankline Oil Co.).
21. Socony Mobil Oil Co., Inc. (successor in interest to Raymond F. Kravis and Nafco Oil and Gas, Inc., successors in interest to N. Applemen).
22. Gordon Street, Inc.
23. Sunset International Petroleum Corp. (successor in interest to David G. Baird).
24. Wolfson Oil Co. (successor in interest to J. C. Watson Drilling Co.).
25. Woods Petroleum Corp. (successor in interest to A. M. Woods and Roy G. Woods).
26. Mrs. V. M. Donnelly.
27. Cooperative Refinery Association.
28. Moran Oil Producing and Drilling Corp.
29. Paula R. Hicks: Weir, et al.
30. Caroline Hunt Trust.
31. Sam G. Dunn.
32. J. H. Elder.
33. Harry P. Hubbard.
34. Sid Richardson Gasoline Co.
35. Kermit Oil Co.
36. Ojai O & G Corp. (1) (successor in interest to Sinclair Prairie Oil Co.).
(1) Inadvertently listed on Exhibit "A" of the Complaint and Petition, filed on July 6, 1959, as Ojai Oil & Gas Corp.

[F.R. Doc. 62–910; Filed, Jan. 26, 1962; 8:46 a.m.]

[Docket No. CP62–102]

NEW YORK STATE NATURAL GAS CORP. AND TEXAS EASTERN TRANSMISSION CORP.

Notice of Application and Date of Hearing

JANUARY 22, 1962.

Take notice that on October 19, 1961, New York State Natural Gas Corporation (New York Natural), 2 Gateway Center, Pittsburgh 22, Pennsylvania, and Texas Eastern Transmission Corporation (Texas Eastern), P.O. Box 1612, Shreveport 94, Louisiana, filed in Docket No. CP62–102 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange of natural gas and the construction and operation of facilities for such exchange, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that New York Natural owns four gas wells in Monroe Township, Bedford County, Pennsylvania, an area in which it has no transmission pipeline of its own. In order to market the gas produced from these wells, New York Natural and Texas Eastern have entered into an exchange agreement dated August 16, 1961, in which New York Natural agrees to construct and operate approximately 7.1 miles of 6-inch pipeline from its Bedford County producing area to a point of connection with Texas Eastern's 20-inch and 24-inch transmission pipelines near Rock Hill Church, approximately three miles west of Mattie, Monroe Township, Bedford County, Pennsylvania, and to construct and operate a measuring station at the connection. New York Natural proposes to deliver the Bedford County production into Texas Eastern's lines at said point up to a maximum of 10,000 Mcf of gas in any 24-hour period unless otherwise agreed upon by the parties. The agreement further provides that

Texas Eastern will simultaneously return equivalent daily quantities of gas to New York Natural at an existing interconnection of their respective pipeline systems in Greene County, Pennsylvania; or with prior consent of the parties, deliveries may be made at any other point of connection between their pipeline systems.

New York Natural estimates the total cost of the pipeline and measuring station to be $155,694, which will be financed from funds on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 21, 1962, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 12, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-911; Filed, Jan. 26, 1962; 8:46 a.m.]

[Docket No. CP62-81 etc.]

TEXAS EASTERN TRANSMISSION CORP. ET AL.

Notice of Applications and Date of Hearing

JANUARY 22, 1962.

Texas Eastern Transmission Corp., Docket No. CP62-81; Shell Oil Co., Docket No. CI62-255; Sinclair Oil & Gas Co., Docket Nos. CI61-296 and CI62-297.

Take notice that on September 27, 1961, Texas Eastern Transmission Corporation (Texas Eastern), Memorial Professional Building, Houston 1, Texas, filed in Docket No. CP62-81 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of approximately 23 miles of 14-inch pipeline, and facilities appurtenant thereto, extending from the Sligo Field, Bossier Parish, Louisiana, to a point of connection with Texas Eastern's existing 24-inch Provident City-Castor pipeline, Red River Parish, Louisiana, to enable Texas Eastern to purchase and receive natural gas produced by Shell Oil Company (Shell) and Sinclair Oil & Gas Company (Sinclair) from the Sligo Field.

Take further notice that on September 5, 1961, in Docket No. CI62-255, and September 14, 1961, in Docket Nos. CI62-296 and CI62-297, Shell, 50 West 50th Street, New York 50, New York, and Sinclair, 10th and Boston Streets, Tulsa, Oklahoma, respectively, filed applications pursuant to section 7(c) of the Natural Gas Act for certificates of public convenience and necessity authorizing the sale of natural gas from the Sligo Field to Texas Eastern.

The proposals of Texas Eastern, Shell and Sinclair are more fully set forth in their respective applications on file with the Commission and open to public inspection.

Shell and Sinclair will make the proposed sales pursuant to separate gas purchase contracts with Texas Eastern, each dated July 1, 1961. Shell and Sinclair also propose to sell excess gas from the Sligo Field to Texas Eastern pursuant to separate letter agreements, each dated July 1, 1961; the excess sales are for terms of three years from the date of initial delivery. Shell has applied for authorization for both sales in Docket No. CI62-255; Sinclair has applied in Docket No. CI62-296 for authorization to make the sales under the basic contract, and in Docket No. CI62-297 for authorization to make the excess sales.

Texas Eastern will pay 14.75 cents per Mcf at 15.025 psia for excess gas, and 16.4161 cents per Mcf at 15.025 psia for gas purchased under the basic contracts.

The cost of Texas Eastern's proposed project is estimated to be $1,291,000, which cost will be financed from cash on hand or revolving credit with banks.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 27, 1962, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 16, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-912; Filed, Jan. 26, 1962; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Investigation and Suspension Docket No. M-15032; No. 33862]

ZINC OR ZINC ALLOY PIGS OR SLABS; ST. LOUIS, MO., TO HOLLAND, MICH.

Petition for Suspension and Investigation of Tariff Schedules

JANUARY 24, 1962.

On August 28, 1961, upon consideration of a petition for suspension and investigation of tariff schedules filed by certain motor carriers to reduce to 35,000 pounds the present truckload minimum weight of 36,000 pounds on zinc or zinc alloy pigs or slabs from St. Louis, Mo., to Holland, Mich., and origins and destinations grouped therewith, without changing the truckload rate applicable in connection therewith, the Commission by order in Investigation and Suspension Docket No. M-15032 suspended the operation of the proposed schedules until March 30, 1962, and entered into an investigation regarding the lawfulness thereof, and by order in No. 33862 also entered into an investigation concerning the lawfulness of the present rate and minimum weight on the described traffic.

Evidence in the form of verified statements was presented in I.&S. No. M-15032, but no evidence was presented in No. 33862. The proceedings were referred to a hearing examiner for recommendation of an appropriate order accompanied by the reasons therefor. The recommended report and order of the hearing examiner, recommending that the proposed reduction be found not shown to be just and reasonable; that the present schedules be found not shown to be unlawful, and that the proceedings be discontinued, was served on January 24, 1962. Exceptions to that report may be filed by interested parties within 30 days from that date.

Copies of the recommended report and order may be obtained by any interested person upon request to the Secretary, Interstate Commerce Commission, Washington 25, D.C.

[SEAL] HAROLD D. McCOY,

[F.R. Doc. 62-914; Filed, Jan. 26, 1962; 8:46 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

ISLA FERMANN

Notice of Intention to Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Ilsa Fermann, Store Maehlum Gard, Ringsaker, Norway; Claim No. 60718; Vesting Order No. 16717; $5,104.06 in the Treasury of the United States.

Executed at Washington, D.C., on January 23, 1962.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 62-927; Filed, Jan. 26, 1962; 8:48 a.m.]

ANNE PAUL ADAMA VAN SCHELTEMA ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimants, Claim Nos., Property, and Location

Anne Paul Adama van Scheltema, 18 Teunisbluemaan, Bentveld, Netherlands, and Mrs. Johanna van Lanschot, Maliesingel 57, Utrecht, Netherlands, and Mrs. Mattha Cornelia Brender a Brandis, 1410 Haufaxplace, Burlington, Ontario, Canada; Claim No. 66991; Vesting Order No. 18519; all right, title and interest of the Attorney General acquired pursuant to Vesting Order No. 18519 (16 F.R. 10101, October 3, 1951) in and to Cities Service Company 5 percent Debenture No. 1946, due January 1, 1966, in the principal amount of $1,000.00.

Executed at Washington, D.C., January 23, 1962.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 62-928; Filed, Jan. 26, 1962; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during January.

1961–62 Edition

UNITED STATES GOVERNMENT ORGANIZATION MANUAL

[Revised as of June 1, 1961]

Official handbook of the Federal Government, describing the organization and functions of the agencies in the legislative, judicial, and executive branches

Price: $1.50

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.